

Annual Report Town of Tewksbury Massachusetts



2002

Annual Report

Town of Tewksbury Massachusetts



2002

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2002

IN MEMORIAM

| Person's Name | Position Held | Time Period |
|----------------------------|--|---|
| Paul Allen | Industrial Commission Solid Waste Committee Weigher | 1975-1980 1977-1979 1983-1989 |
| Richard A. Barrelle | Retired Tewksbury Fire Lieutenant (Fire Department 38 years) Member Redman Football Club Co-Founder Pop Warner Football Program Member of Sports Hall of Fame Committee Council On Aging Member Recreation Study Committee Member Recreation Committee | 1970-1971 1974 1967-1984 |
| Judith H. Creamer | Historic Commission | 1975-1979 |
| Dorothy DeMarais | School cafeteria – North Street School Election Warden | 1986-1994 |
| John Dey | School custodian | |
| Lucille Firreno | Town & School Activist | |
| George Gray | Road Commissioner Assessor | 1951-1963 1965-1966 |
| Charles E. Hazel | Assistant Coach Tewksbury High School Interim Coach Head Coach Athletic Director Physical Education Teacher/Driver Ed Instructor Massachusetts Coaches Hall of Fame Tewksbury Memorial High School Sports Hall of Fame Livingston Street Athletic Field named: "Charles E. Hazel Field" | 1935-1947 1942-1945 (WWII) 1948-1966 1948-1976 |
| Jacqueline Hunt | Secretary, Board of Selectmen Historic Commission Associate Member | 1973-1974 |
| James E. "Red" Kelley, Jr. | Tewksbury School Committee | 1960-1963 |
| Joseph Killeen | Board of Registrars | 1961-1980 |
| Mary Rose Mackey | Wife of Retired Police Lieutenant Richard Mackey Mother of Police Chief John R. Mackey Mother of Fire Captain Richard Mackey | |
| Robert E. Maher | Member Golden Age Club | |

| Person's Name | Position Held | Time Period |
|------------------------|---|--|
| James Manley | Retired Police Officer Personnel Board Conservation Commission Associate Member Town Hall Custodian Animal Inspector | 1941 1963-1964 1970-1972 1976-2002 1975-1991 |
| Mary E. McCarthy | Former member of Election Staff | |
| Hilary O. McMahon | Retired Tewksbury Fire Lieutenant (1959 - 28 year career) Boy Scout Troop Leader | |
| James G. Mendonca Sr. | Community Food Pantry Board of Directors Council On Aging Member Patriotic Committee Member Personnel Board | 1998-2001 |
| Donald W. Nickerson | Northern Middlesex Area Commission Sign By-law Committee | 1970 1970-1974 |
| Bruno A. "Tony" Pupa | Personnel Board Patriotic Activity Committee Member of City of Newton's Department of Public Works Union Business Agent, Local 544, City of Newton | 1974 1977 |
| Gerald J. Quigley, Jr. | Coach Pop Warner football, youth hockey, baseball leagues Baseball umpire and football referee | |
| Charles Stella | Conservation Commission Associate Member Assessor Board of Appeals Associate Member Board of Appeals Member | 1978 1979-1989 1987 1988-1991 |
| Donald Stewart | School Department School Media Specialist Cable Advisory Committee | 1968-1996 1984-1996 1986-1988 |
| Susan Sullivan | Board of Health Council On Aging Arts Lottery Council | 1998-2002 1982-2002 1983-1987 |
| Mary Ann Wareham | Senior Center Financial Program Activist | |
| Helen E. Warren | Member of Office Staff Town Clerk's Office Assistant to Town Clerk | 1975-1989 |

GENERAL GOVERNMENT

*Biograph
Annual and Specials*

*Town Officers
Town Meeting Warrants*

*Town Committees
Elections*

Biograph

1. **Town:**
Tewksbury, Massachusetts
Incorporated in 1734
2. **County:**
Middlesex, ss.
3. **Location:**
At the junction of two new superhighways in northeastern Massachusetts, U.S. Interstate 495 and U.S. Interstate 93. The Town is bordered on the north by the Merrimack River, northeast by the Town of Andover, southeast by the Town of Wilmington, southwest by the Town of Billerica and borders on the City of Lowell on the west. It is 21 miles from Boston, 50 miles from Worcester, 30 miles from Salisbury Beach, and 230 miles from New York City.
4. **Population:**
1970 - 22,755
1980 - 24,478
1990 - 28,304
2000 - 30,315
2002 - 29,960
5. **Land Areas:**
20.70 square miles
10,789.5 acres assessed
6. **Density:**
Person per square mile:
1970 - 1,099
1980 - 1,182
1990 - 1,367
2000 - 1,464
2002 - 1,447
7. **Climate:**
Mean annual precipitation - 43.40 inches.
Mean Temperature - January - 26.6 degrees
July - 73.7 degrees.
8. **Elevation:**
Highest Point: Ames Hill, 363 feet;
North section: 200 feet;
West section: 150 feet;
Center: 120 feet;
South section: 150 feet
(above mean sea level)
9. **Topography:**
Fairly level terrain, with elevations varying from 100 feet to 200 feet above sea level. Soil is a mixture of sandy soil in southern section. Wet and moist and of good texture along the central and northern sections.
10. **Established:**
Inhabitants separated from Billerica in 1733.
First Town Meeting held January 14, 1734.
Duly incorporated December 23, 1734.
11. **Form of Government:**
Open Town Meeting
Five Member Elected Board of Selectmen
Appointed Town Manager

Elected Officers

SELECTMEN

| | |
|--------------------------|------|
| Kevin Anderson, Chairman | 2003 |
| John F. Ryan | 2003 |
| Joseph P. Gill, Jr. | 2004 |
| Charles E. Coldwell | 2004 |
| Douglas Sears, Esq. | 2005 |

BOARD OF HEALTH

| | |
|--------------------------------|------|
| Edward J. Sheehan | 2003 |
| Susan Sullivan (deceased 2002) | 2004 |
| Stephanie Wilkie, Chairman | 2005 |

TOWN CLERK

| | |
|--------------------|------|
| Elizabeth A. Carey | 2005 |
|--------------------|------|

MODERATOR

| | |
|------------------|------|
| James P. Coakley | 2005 |
|------------------|------|

PLANNING BOARD

| | |
|-----------------------------|------|
| Robert A. Fowler, Sr. | 2003 |
| Vincent Spada | 2004 |
| David J. Plunkett, Chairman | 2005 |
| Frank R. Sweet | 2006 |
| Nancy Reed | 2007 |

SCHOOL COMMITTEE

| | |
|----------------------------|------|
| Ruth M. Perrin | 2003 |
| Scott J. Consaul, Chairman | 2003 |
| Edward K. Dick | 2004 |
| Dennis Peterson | 2004 |
| Joseph Russell | 2005 |

REGIONAL VOKE SCHOOL COMMITTEE

| | |
|----------------------|------|
| J. Peter Downing | 2003 |
| Patricia M. W. Meuse | 2004 |

TRUSTEES PUBLIC LIBRARY

| | |
|--------------------------------|------|
| Kevin Comtois, Chairman | 2003 |
| Mary MacDonald | 2003 |
| Joan Dunlevy | 2004 |
| Karen Lu | 2004 |
| Jan Sutton | 2005 |
| Hope Trzcinski (res. 12/23/02) | 2005 |

HOUSING AUTHORITY

| | |
|--|------|
| Shawn E. Dillon | 2003 |
| Louise A. Gearty, Chairman | 2004 |
| Linda A. Ricardo-Brabant | 2005 |
| Robert C. Briggs | 2006 |
| John W. Deputat (Governor's Appointee) | 2006 |

Appointive Officers

| | |
|------------------------------|-----------------------------|
| Town Manager | David G. Cressman |
| Asst. to the Town Manager | Sandra A. Barbeau |
| Town Counsel | Charles J. Zaroulis, Esq. |
| Animal Inspector | Pam Gorrasi |
| Appraisers | Board of Selectmen |
| Assessor (Chief) | John J. Kelley |
| Assessor | Barbara Flanagan |
| Assessor | Susan E. Moore |
| Attendance Officer | George Hazel |
| Accountant | Donna Gill |
| Building Commissioner | Richard A. Colantuoni |
| Building Inspector | Edward Johnson |
| (Local) Building Inspector | Louis Carciofi |
| Community Dev. Director | Steven Sadwick |
| D. P. W. Superintendent | William Burris |
| Dog Officer | Walter Collins |
| Emergency Management Dir. | Michael Sitar |
| Finance Director | Donna Walsh |
| Fire Chief | Thomas Ryan |
| Health Sanitarian/Deputy | |
| Animal Inspector | Dean Trearchis |
| Historian | Warren Carey |
| Northern Middlesex Area | |
| Commission Rep. | David G. Cressman |
| | Charles E. Coldwell |
| Police Chief | John Mackey |
| Recreation Director | Roy Patterson |
| Sealer of Weights & Measures | Edward Johnson |
| Superintendent of Schools | Christine L. McGrath, Ph.D. |
| Tax Collector | Dorothy Lightfoot |
| Treasurer | Janet Smith |
| Veterans Agent | Ellsworth Hart |
| Veterans Burial Indigent | Farmer & Dee, Inc. |
| | Tewksbury Funeral Home |
| Veterans Grave Officer | |
| Wire Inspector | Jeremiah Delaney |

Appointed Boards- Committees-Commissions

AFFORDABLE HOUSING

Corinne Delaney
David Plunkett
Dolores Roycroft
Steve Deackoff
Vera Ford
Sal Marino

APPEALS BOARD

| | |
|----------------------------|------|
| Robert Stephens | 2003 |
| Mark Singleton (res. 2002) | 2003 |
| Derek Sheehan | 2004 |
| Jennie McCarthy | 2005 |

APPEALS BOARD-ASSOCIATE MEMBERS

| | |
|------------------|------|
| Joseph Kelley | 2003 |
| Geraldine Murphy | 2003 |

BOARD OF REGISTRARS

| | |
|--------------------------------|------|
| Beverly Bennett | 2003 |
| Edward Creamer | 2004 |
| Donald Ordway | 2005 |
| Elizabeth A. Carey, Ex Officio | |

ASSISTANT REGISTRARS 2002

Kathleen M. Garrant
Sandra E. Turcotte
Linda DiPrimio
Susan Perry

CABLE ADVISORY COMMITTEE

| | |
|----------------|------|
| Donna Gacek | 2003 |
| Joseph Dermody | 2003 |
| William Marsh | 2003 |
| James Burgoyne | 2003 |
| Jeffrey C. Lin | 2003 |

CONSERVATION COMMISSION

| | |
|---------------------|------|
| Sal Torname | 2003 |
| Stephen DeFrancesco | 2003 |
| Steve Deackoff | 2003 |
| Stanley Folta, Jr. | 2004 |
| Gregory Peters | 2005 |
| Michael Kelley | 2005 |
| Robert Ernest | 2005 |

CONSTABLE – TERM TO EXPIRE – 2005

Sandra Barbeau
Yvonne Rawson-Bozek
Richard Carter
Edward F. Clark, Jr.
Edward F. Clark, III
Ronald P. French
Herbert Hadley

Mark Hildebrand
Edwina Hudson
Cheryl Laffey
Wilfred A. Lambert
John Lynch
James J. Mazza
Walter J. McAvoy
Dennis A. Mills
Harold Morang
David Muscovitz
Kevin Mahoney
Gail Perdicaro
George H. Rost, Jr.
Anthony Saia
Janet Smith
Donald Stout
Henry E. Sullivan

COUNCIL ON AGING

| | |
|--|------|
| Ellen Keefe | 2003 |
| Philomena Gibson | 2003 |
| Joanne Aldrich | 2003 |
| Susan Sullivan, Chairman (Deceased 2002) | 2004 |
| James Mendonca (Deceased 2002) | 2004 |
| Norman J. Desmarais | 2004 |
| Warren Hupper | 2004 |
| Rose McKenna | 2004 |
| Joan Unger | 2004 |
| Bernice Sprague | 2005 |
| Joel Deputat | 2005 |
| Marie Durgan | 2005 |
| Mark Wood | 2005 |
| Robert Scarano (resigned 2002) | |

Alternates

| | |
|----------------|------|
| Muriel Gifford | 2004 |
| Carolyn French | 2004 |
| Lorene Patch | 2004 |

FENCE VIEWERS

| | |
|--------------|------|
| Jae Gray | 2003 |
| Marsha Hunt | 2003 |
| Jeffrey Dirk | 2003 |

FINANCE COMMITTEE

| | |
|------------------------|------|
| Raymond Shaw, Chairman | 2003 |
| Robert Marcin | 2003 |
| Thomas Cooke | 2004 |
| Kevin Donnelly | 2004 |
| John Dunfey | 2004 |
| Kenneth Holden | 2005 |
| John Wynn | 2005 |
| Jerome Selissen | |
| George Donovan | 2005 |

HISTORICAL COMMISSION

| | |
|-------------------------------|------|
| Douglas W. Sears | 2003 |
| James J. Gaffney, III | 2003 |
| Raymond Paczkowski | 2003 |
| Debby Bernard (Resigned 2002) | 2004 |

| | |
|----------------------------------|------|
| Beverly Bennett | 2005 |
| Eileen McDonagh | 2005 |
| HOMECOMING COMMITTEE | |
| Amanda Hicks | 2004 |
| Nancy Tsotsi | |
| David Hicks | 2004 |
| Karen Page | |
| John F. Synan, Jr. | |
| Shayne Garman | |
| INDUSTRIAL COMMISSION | |
| Ellsworth K. Hart | 2003 |
| Daniel Boucher (Deceased) | 2003 |
| Matthew Dailey | 2006 |
| LAND USE COMMITTEE | |
| Charles Coppola | |
| David Cressman | |
| Steven Prevost | |
| Robert Kelley | |
| Michelle Walsh, Chairman | |
| Joanne Foley | |
| Scott Consaul | |
| Robert Fowler | |
| Corrine Delaney | |
| Derek Sheehan | |
| Greg Peters | |
| Stephanie Wilkie | |
| Richard Morris | |
| LOCAL HOUSING PARTNERSHIP | |
| Steven Deackoff | |
| Mary Ellen Fernald | |
| Robert Kelley | |
| Kathleen Lee | |
| Sal Marino | |
| Gerald Pagliuca | |
| Gregory Peters | |
| Michelle Walsh, Chairman | |
| Marilyn Phelan (Advisory Member) | |
| MASS. CULTURAL COUNCIL | |
| Eleanor Corey | 2003 |
| Lani Matthews | 2003 |
| Marylou Christoffels | 2003 |
| Marcie Murphy | 2003 |
| M. Eileen McDonagh | 2003 |
| Maria Galante | 2004 |
| Gina Hickford | 2005 |
| Pat Powers | 2005 |
| MASTER PLAN COMMITTEE | |
| Stephanie Wilkie | |
| Nancy Reed | |
| Frank Sweet | |
| Salvatore Torname | |
| Susan Duffy | |

MEMORIAL COMMITTEE – 2004

Charles Coldwell
John Kane
Richard Morris
Kenneth Holden
Warren R. Carey

PATRIOTIC ACTIVITIES COMMITTEE

Greg Tsotsi
Alphee Deveau
Roy Patterson
Charles Coldwell

PERSONNEL RELATIONS REVIEW BOARD

| | |
|---------------------------|------|
| Robert O'Brien | 2003 |
| William Phalan | 2004 |
| Stephen Hattori, Chairman | 2005 |
| Sandra A. Barbeau | 2005 |
| Roy Patterson | 2005 |

RECYCLING COMMITTEE 2005

Joseph P. Gill
Jae Gray
Dan Mazik
Kristina M. Rogers, Chairman
Sean Czarniecki
Sandra Barbeau
Bonnie Gallagher
Kristen Gallagher
Donna Marshall
Marcie Rizzo

SEWER AGREEMENT COMMITTEE

David Cressman
William Burris
Charles Coppola (~~Deceased~~)
Joseph Gill
Charles Stella (~~DECEASED~~)
Shawn Dillon
Richard Mazzoni

SIDEWALK COMMITTEE

Franco Lucchesi, Chairman
Laura Caplan
Carolyn French
Ted Dooling
Phyllis White
Gail Perdicaro
Matthew Dailey
Elaine Quinlan
Sandra Campo
Robert Ferrari
Susan Stewart

STREET NAME CHANGE COMMITTEE

Joan Dunlevy
Elizabeth Carey
Gerald Cullen
Louise Gearty
Edward Kearns

Matthew McGillick
Rita O'Brien Dee
Edward Sullivan
Donna Marshall
Richard Mackey

TRUST FUND COMMISSION

| | |
|-------------------|------|
| Warren Carey | 2004 |
| Janet Smith | 2005 |
| Dorothy Lightfoot | 2005 |

WYNN SCHOOL BUILDING COMMITTEE

David Cressman
• James Cutelis
Ray Shaw
Charles Coldwell
John Ryan
John Wynn
Brenda Theriault-Regan
James Melloni
Richard Colantuoni

Special Governmental Districts

SENATORS IN CONGRESS

HONORABLE EDWARD M. KENNEDY (D)

Senate Office Building, Washington, DC, 20510

HONORABLE JOHN F. KERRY (D)

Senate Office Building, Washington DC, 20510

CONGRESSIONAL DISTRICT: 5TH

MARTIN T. MEEHAN (D)

House of Representatives, Washington, DC, 20515

STATE GOVERNMENT

SUSAN TUCKER (D)

2ND Essex & Middlesex Senatorial District
Senate Offices: State House, Boston, MA, 02133

JAMES R. MICELI (D)

19TH Middlesex District of General Court
House of Representatives, State House, Boston, MA,
02133

BARRY R. FINEGOLD (D)

17TH Essex District of General Court
House of Representatives, State House, Boston, MA
02133

Special Town Meeting

January 29, 2002

Accountant, Chief Assessor, Finance Director, Treasurer, Collector, Town Manager, Board of Selectmen, and Finance Committee:
Pursuant to Section 15A, Chapter 41, Massachusetts General Laws, I hereby certify to the funds appropriated at the Special Town Meeting, convened by proper Warrant on January 29, 2002.

APPROPRIATION CERTIFICATE – SPECIAL TOWN MEETING JANUARY 29, 2002

| <u>ARTICLE</u> | <u>RAISE & APPROPRIATE</u> | <u>TRANSFER FROM</u> | <u>BORROW</u> |
|---|------------------------------------|---|---------------|
| 1. Fire Salaries to Implement Labor Agreement | | 90,065.00 Town Manager Salary Escrow Acct | |
| | | 199,000.00 Personnel Relations Review Board Salary Escrow | |
| TOTAL RAISE & APPROPRIATE | | \$ -0- | |
| TOTAL TRANSFERS | | \$289,065.00 | |
| BORROW | | | \$ -0- |

ATTEST:

ELIZABETH A. CAREY, CMMC
TOWN CLERK

**SPECIAL TOWN MEETING
JANUARY 29, 2002**

Tewksbury Town Hall
1009 Main Street

Moderator James Coakley opened the January 29, 2002, Special Town Meeting at 7:30 P.M.

Moderator Coakley informed the voters that the Town Meeting Guidelines were printed on the inside cover of the Warrant and he designated the Visitors Section.

There were 55 registered voters and 5 visitors in attendance.

ARTICLE 1

To see if the Town will vote to transfer \$90,065 from the Town Manager Salary Escrow Account and \$199,000 from the Personnel Relations Review Board Salary Escrow to Fire Salaries to implement the labor agreement recently signed with AFL-CIO Local 1647 of the International Association of Firefighters. Or take any other action relative thereto.

Town Manager

Executive Summary: The intent of this article is to fund the labor agreement with the International Association of Firefighters, Local 1647 and implement the labor agreement.

Motion: Finance Committee Chairman, Ray Shaw, motioned to Adopt Article 1.

Voted: Article 1 was Adopted, as written.

7:31 P.M. (1/29/02)

Moderator Coakley encouraged voters to attend the Public Hearings of the Master Plan (Zoning) Committee to obtain information so the voter would be prepared to vote at the specific Town Meeting that would be presenting the Zoning Master Plan.

Finance Committee Chairman, Ray Shaw, motioned to Adjourn the January 29, 2002, Special Town Meeting, sine die, and this motion was Adopted. 7:32 PM (1/29/02)

ATTEST:
ELIZABETH A. CAREY, CMMC, CMC
TOWN CLERK

Annual Town Election Results

April 6, 2002

At a meeting of the Inhabitants of the Town of Tewksbury, called by proper warrant and qualified to vote in Town affairs, held this day at the DPW for Precinct 1 and 1A; at the Teen Center for Precinct 2; at the South Fire Station for Precinct 2A; at the Senior Center for Precinct 3 and 3A; and at the Library for Precinct 4 and 4A, the following business was transacted. Registered on the ballot boxes in the seven Precincts showed 0000, and check lists were in order. Polls opened at 8:00 AM and closed at 8:00 PM. There were 4,225 votes cast. Precinct 1 – 464, Precinct 1A – 519, Precinct 2 – 410, Precinct 2A – 483, Precinct 3 – 602, Precinct 3A – 683, Precinct 4 – 470, and Precinct 4A – 594.

| | |
|---------------------------------------|-------------------------|
| Precinct 1 - Alice Golen, Warden | Alice A. Carroll, Clerk |
| Precinct 1A - Ellen M. Keefe, Warden | Yolanda Luongo, Clerk |
| Precinct 2 - Bernice Sprague, Warden | Marie T. Magro, Clerk |
| Precinct 2A - Rosemarie Krugh, Warden | Bertha D'Amico, Clerk |
| Precinct 3 - Jean Ray, Warden | Warren Ray, Clerk |
| Precinct 3A - Rita Coyle, Warden | Mary Pilcher, Clerk |
| Precinct 4 - Mary Ann Nichols, Warden | Rita O'Brien Dee, Clerk |
| Precinct 4A - Angela Callahan, Warden | Dorothy McGrath, Clerk |

TOWN ELECTION

April 6, 2002

PRECINCT TOTALS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| | 464 | 519 | 410 | 483 | 602 | 683 | 470 | 594 | 4225 |

BOARD OF SELECTMEN (VOTE FOR ONE)

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|--------------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 12 | 12 | 6 | 7 | 13 | 9 | 9 | 13 | 81 |
| Charles T. Coppola | 168 | 216 | 164 | 167 | 217 | 255 | 179 | 242 | 1608 |
| Matthew T. Dailey | 66 | 54 | 49 | 51 | 64 | 104 | 37 | 69 | 494 |
| Douglas W. Sears | 213 | 236 | 189 | 258 | 306 | 312 | 243 | 268 | 2025 |
| Others | 5 | 1 | 2 | 0 | 2 | 3 | 2 | 2 | 17 |
| Total | 464 | 519 | 410 | 483 | 602 | 683 | 470 | 594 | 4225 |

BOARD OF HEALTH (VOTE FOR ONE)

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|---------------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 124 | 135 | 93 | 96 | 146 | 189 | 115 | 123 | 1021 |
| Stephanie J. Wilkie | 335 | 374 | 310 | 382 | 452 | 483 | 351 | 467 | 3154 |
| Others | 5 | 10 | 7 | 5 | 4 | 11 | 4 | 4 | 50 |
| Total | 464 | 519 | 410 | 483 | 602 | 683 | 470 | 594 | 4225 |

TOWN CLERK (VOTE FOR ONE)

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|--------------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 15 | 15 | 15 | 9 | 13 | 23 | 26 | 15 | 131 |
| Elizabeth A. Carey | 342 | 421 | 313 | 360 | 457 | 460 | 350 | 466 | 3169 |
| Stephen A. Prevest | 106 | 83 | 80 | 112 | 130 | 199 | 94 | 113 | 917 |
| Others | 1 | 0 | 2 | 2 | 2 | 1 | 0 | 0 | 8 |
| Total | 464 | 519 | 410 | 483 | 602 | 683 | 470 | 594 | 4225 |

MODERATOR (VOTE FOR ONE)

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|-------------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 121 | 125 | 99 | 122 | 135 | 221 | 137 | 128 | 1088 |
| James P., Coakley | 341 | 389 | 303 | 359 | 458 | 457 | 325 | 459 | 3091 |
| Others | 2 | 5 | 8 | 2 | 9 | 5 | 8 | 7 | 46 |
| Total | 464 | 519 | 410 | 483 | 602 | 683 | 470 | 594 | 4225 |

PLANNING BOARD (VOTE FOR ONE)

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|-------------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 37 | 64 | 40 | 34 | 49 | 71 | 60 | 53 | 408 |
| Nancy L. Reed | 317 | 330 | 254 | 324 | 379 | 464 | 271 | 353 | 2692 |
| Salvatore Torname | 108 | 124 | 113 | 123 | 172 | 144 | 137 | 184 | 1105 |
| Others | 2 | 1 | 3 | 2 | 2 | 4 | 2 | 4 | 20 |
| Total | 464 | 519 | 410 | 483 | 602 | 683 | 470 | 594 | 4225 |

SCHOOL COMMITTEE (VOTE FOR ONE)

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|--------------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 17 | 52 | 23 | 38 | 37 | 78 | 54 | 31 | 330 |
| Joseph E. Russell | 345 | 341 | 273 | 306 | 365 | 389 | 288 | 361 | 2668 |
| Jefferson R. Smith | 99 | 125 | 113 | 138 | 198 | 215 | 127 | 201 | 1216 |
| Others | 3 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 11 |
| Total | 464 | 519 | 410 | 483 | 602 | 683 | 470 | 594 | 4225 |

TRUSTEES PUBLIC LIBRARY (VOTE FOR TWO)

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|------------------------|-----|------|-----|-----|------|------|-----|------|-------|
| Blanks | 330 | 354 | 293 | 311 | 379 | 517 | 336 | 347 | 2867 |
| Janet G. Sutton | 318 | 371 | 277 | 340 | 434 | 421 | 321 | 439 | 2921 |
| Hope Kristen Trzcinski | 276 | 310 | 246 | 311 | 388 | 423 | 282 | 398 | 2634 |
| Others | 4 | 3 | 4 | 4 | 3 | 5 | 1 | 4 | 28 |
| Total | 928 | 1038 | 820 | 966 | 1204 | 1366 | 940 | 1188 | 8450 |

| | |
|-------------------------|-------|
| Total Registered Voters | 16334 |
| Total Votes | 4225 |
| Percent | 26% |

A True Copy Attest:
Elizabeth A. Carey
Town Clerk

Annual Town Meeting

May 6 & 8, 2002

Tewksbury Memorial High School
320 Pleasant Street
May 6 & 8, 2002

Moderator James Coakley opened the 2002 Annual Town Meeting at 8:00 PM on May 6, 2002.

The Moderator invited St. William Parish, Boy Scout Troop #49; Ryan Hopkins, Justin Melloni, Steven Southard, Craig Scheipers, Michael Descateaux, Jeff Lobdell and Gregory Lobdell to lead the Assembly in the Pledge of Allegiance to the Flag.

The Moderator introduced Reverend Jonathan Goodell, Pastor of the Tewksbury Congregational Church, to offer the Opening Prayer.

The Moderator called for a Moment of Silence for the Town Officials and Employees who passed away in the year 2001 and who are listed on page 3 of the 2001 Annual Town Report and he included the following names of those who passed away in 2002:

Richard Barrelle
Dorothy DeMarais
Lucille Firreno

Charles Hazel
Hilary McMahon
James Mendonca, Sr.

Gerald Quigley
Charles Stella
Helen Warren

The Moderator designated the Visitors Section, reminded the registered voters to display their voting ribbons. Related articles were Article 9 and Article 17 and Article 17 would be acted on after Article 9.

Board of Selectmen Chairman, Kevin Anderson, made the following announcements:

Third Annual Tidy Up Tewksbury – Saturday, June 8th, 9:00 AM to 1:00 PM – Shawsheen Street area.
Tewksbury Environmental & Hazardous Waste Day – Saturday, May 18, 9:00 AM to 1:00 PM – DPW
Tewksbury Garden Club Plant Sale – Saturday, May 18th – 9:00 AM to 3:00 PM – Town Common
Tewksbury Post Office Open House – Friday, May 10th – 10:00 AM to 1:00 PM – Main Street
Tewksbury Post Office New Hours – Monday-Friday 7:30 AM to 5:00 PM – beginning Saturday, May 18th
Rainbow Girls' selling coffee & baked goods in front foyer

Board of Health Chairman, Stephanie Wilkie, reminded the Assembly about the medical supplies, books, and personal items that are desperately needed and are being collected for the hospitals in Afghanistan and may be brought to the Town Meeting or Town Hall.

The Moderator informed the Assembly about Representative James Miceli's Annual Survey, to be completed and returned on the way out.

There were 251 Registered Voters and 29 Visitors in attendance.

Finance Committee Chairman, Ray Shaw, motioned to Waive the Reading of the Warrant Articles and this motion was Adopted.
5/6/02 8:09 PM

Finance Committee Chairman, Ray Shaw, motioned to Recess the Annual Town Meeting to Wednesday, May 8, 2002, 8:00 PM, at the Tewksbury Memorial High School, and this motion was Adopted.
5/6/02 9:40 PM

The Moderator Reconvened the 2002 Annual Town Meeting on Wednesday, May 8, 2002, at 8:00 PM.
There were 172 Registered Voters and 17 Visitors in attendance.

The Moderator reminded the visitors to sit in the Visitors Section.

Announcement: Sewer Committee Public Hearing, Wednesday, June 5, 2002, at 7:30 PM, Heath Brook School.

Finance Committee Chairman, Ray Shaw, motioned to adjourn the 2002 Annual Town Meeting, Sine die, and this motion was Adopted.
10:15 PM 5/8/02

SECTION 1

ARTICLE 1

To choose all necessary Town Officers, by ballot, One (1) member of the Board of Selectmen for three years; One (1) member of the Board of Health for three years; One (1) Town Clerk for three years; One (1) Moderator for three years; One (1) member of the Planning Board for five years; One (1) member of the School Committee for three years; and Two (2) Library Trustees for three years.

Accomplished at the Annual Town Election, Saturday, April 6, 2002.

SECTION 2

| | | |
|------------|---------------------------|--|
| Article 2 | Elected Official Salaries | |
| Article 3 | Consent Calendar | |
| Article 4 | Budget Articles | Lottery System for each Department |
| Article 5 | Budget Related | Raise and appropriate \$3,000,000.00 water treatment plant |
| Article 6 | Budget Related | Raise and appropriate for water mains on Anthony Road |
| Article 7 | Budget Related | Raise and appropriate or borrow for sewers Seneca and Navillus Road area |
| Article 8 | Budget Related | Transfer funds for road improvements |
| Article 9 | Budget Related | Raise and appropriate for Webmaster |
| Article 10 | Budget Related | Raise and appropriate sidewalks |
| Article 11 | Budget Related | Raise and appropriate for Comprehensive Master Plan Initiative |
| Article 12 | Budget Related | Raise and appropriate for Local Area Networking |
| Article 13 | Budget Related | Raise and appropriate recreational fields safety repairs |
| Article 14 | Personnel By-Law | Amend Section III (e) Salaries and Wages |
| Article 15 | Personnel By-Law | Amend Section III (e) Salaries and Wages |
| Article 16 | Personnel By-Law | Amend Section III (e) Salaries and Wages |
| Article 17 | Personnel By-Law | Amend Section III (e) Salaries and Wages |
| Article 18 | Personnel By-Law | Amend Section IV Fringe Benefits |
| Article 19 | Personnel By-Law | Amend Definition of Terms |
| Article 20 | Personnel By-Law | Amend Section III (e) Salaries & Wages |
| Article 21 | Personnel By-Law | Amend Section III (e) Salaries & Wages |

ARTICLE 2

To see if the Town will vote to fix the salaries of several elected officials for the fiscal year 2003.

| | <u>FY02</u> | <u>FY03</u> |
|-------------------------------|-----------------------|-------------------------|
| | <u>Present</u> | <u>Requested</u> |
| <u>BOARD OF HEALTH</u> | | |
| Chairman | 450 | 450 |
| Members (2) | 350 | 350 |
| MODERATOR | | |
| | 500 | 500 |
| PLANNING BOARD | | |
| Chairman | 1200 | 1200 |
| Members (4) | 850 | 850 |
| SCHOOL COMMITTEE | | |
| Chairman | 3000 | 3000 |
| Members (4) | 2500 | 2500 |
| SELECTMEN | | |
| Chairman | 6000 | 6000 |
| Members (4) | 5000 | 5000 |

Motion: The Finance Committee motioned to Adopt Article 2, as written in the Warrant.
Mr. Keith Rauseo motioned to Amend Article 2.

Voted: Mr. Rauseo's Amendment Failed. YES 77, NO 117
The Finance Committee's motion to Adopt Article 2, as written, was Adopted.

5/6/02 8:18 PM
5/6/02 8:18 PM

Article 2 was Adopted, as written.

Executive Summary: The purpose of this article is to fix the salaries of certain elected Town officials.

ARTICLE 3

Consent Calendar

The Moderator will call out the number of the Articles, one by one. If a voter objects to any particular Article being included in the Consent Calendar, he/she should say the word "HOLD" when the number is called. The Article is removed from the Consent Calendar and restored to its original numbered place in the warrant, to be acted upon, debated and voted in the usual manner. After calling of the individual items in the Consent Calendar, the Moderator shall ask that the voters pass all the remaining items as a unit.

(Consent Calendar)

Article 3-22 Accept the Annual Report
D Article 3-23 Reduce the Tax Levy
D Article 3-24 Sale of Tax Title Property
Article 3-25 Lease/Purchase Agreement
D Article 3-26 Early Retirement
Article 3-27 Authorize Chapter 90 Funds
D Article 3-28 Petition General Court
D Article 3-29 Petition General Court

The Moderator called out the Article numbers one by one and Article 3-23, Article 3-24, Article 3-26, Article 3-28, and Article 3-29 were called to HOLD and were removed from the Consent Calendar and restored to their original numbered place in the warrant.

Articles 3-22, 3-25, and 3-27 were Adopted, per the Finance Committee's Recommendations.

5/6/02 8:20 PM

ARTICLE 3-22

To hear and act upon reports of the various town officers; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt Article 3-22 and this motion was Adopted.

5/6/02 8:20 PM

Executive Summary: The purpose of this article is to accept the reports of various town officers, which were printed in the 2001 Town Report.

ARTICLE 3-23

To see if the Town will vote to transfer from the E&D account the total sum of \$2,135,170 to be used by the Assessors to reduce the current tax levy or take any related action.

Town Manager

Motion: The Finance Committee motioned to Amend Article 3-23 and Adopt the Article, as Amended.

Voted: The Finance Committee's Amendment was Adopted.
Article 3-23 was Adopted, as Amended.

5/6/02 9:29 PM
5/6/02 9:29 PM

AMENDMENT:

Change the amount from \$2,135,170 to **\$2,236,349.**

Executive Summary: This article allows the Town to utilize funds that were considered available as of June 30, 2001 to balance the FY03 budget.

ARTICLE 3-24

To see if the Town will vote to authorize the Board of Selectmen to sell, after first giving notice of the time and place in the Town and by posting such notice of sale in some convenient and public place in the Town and advertising for three successive weeks at least fourteen days before the sale property taken by the Town under the tax title procedure, provided that Board of Selectmen or whomever they authorize to hold such public auction shall reject any bid which they deem inadequate and provided that no property shall be sold for less than a minimum of 75% of fair market value. Fair market value, for the purpose of this article, is defined as the value calculated by the Board of Assessors. Fair market value is calculated by the Board of Assessors using supporting formulas and rates. Such formulas and rates, based upon standard real estate and/or assessment valuation procedures, shall be filed with the Town Clerk a minimum of fourteen days prior to the date of bidding or sale, whichever occurs first or take any related action.

Board of Selectmen
Town Manager

Motion: The Finance Committee motioned to Adopt Article 3-24, as written in the warrant.
Ms. Michelle Walsh, Local Housing Partnership Chairman, motioned to Indefinitely Postpone Article 3-24.

Voted: Ms Walsh's motion for Indefinite Postponement Prevailed. Yes 92, NO 37 5/6/02 9:35 PM

Executive Summary: This article is acted on annually and allows the Board of Selectmen to sell Town owned land taken for non-payment of taxes subject to a minimum fair market value.

ARTICLE 3-25

To see if the Town will vote to authorize the Town Manager to enter into Lease/Purchase Agreements of up to five years to purchase equipment for Town Departments. Said contracts shall be subject to annual appropriations or take any related action.

Town Manager

Motion: The Finance Committee motioned to Adopt Article 3-25.

Voted: Article 3-25 was Adopted. 5/6/02 8:20 PM

Executive Summary: This article is acted on annually and allows the Town Manager to lease/purchase equipment for various Town departments subject to an annual appropriation.

ARTICLE 3-26

To see if the Town will vote to accept the provisions of Chapter _____ of the Acts of 2002 as related to providing an early retirement incentive program to municipal employees or take any other action relative thereto.

Town Manager

Motion: The Town Manager motioned to Withdraw Article 3-26.

Voted: Article 3-26 was Withdrawn. 5/6/02 9:35 PM

Executive Summary: The article will provide an opportunity for those town employees who will be retiring from the town within the next five years to take advantage of an early retirement and assist the Town in reducing its budget by retirements rather than layoffs.

ARTICLE 3-27

To see if the Town will vote: (1) to appropriate a sum of money to survey, design and undertake repairs to roads and bridges under the provisions of Chapter 90 of the Massachusetts General Laws, and to obtain any material and/or services incidental thereto; (2) to authorize the Board of Selectmen to acquire easements in conjunction therewith by the purchase, gift, lease, eminent domain, or otherwise; (3) in furtherance of the project(s), to authorize the Board of Selectmen to apply for, accept and expend any federal, state and/or private grants without further appropriation thereof; and (4) to determine whether said appropriation shall be raised by transfer from available funds or by borrowing; or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt Article 3-27.

Voted: Article 3-27 was Adopted.

5/6/02 8:20 PM

Executive Summary: Each year the state indicates the amount it will allot to cities and towns for roadwork under Chapter 90. This article authorizes the town to spend these funds.

ARTICLE 3-28

To see if the Town will vote to authorize the Board of Selectmen to file a Home Rule petition allowing the Town of Tewksbury to establish an Affordable Housing Trust Fund, or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Amend and Adopt Article 3-28, as Amended.

Voted: The Finance Committee's Amendment was Adopted.
Article 3-28 was Adopted, as Amended.

5/6/02 9:36 PM

5/6/02 9:36 PM

AMENDMENT:

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact a special act to allow the Town of Tewksbury to establish an Affordable Housing Trust Fund, or take any other action relative thereto.

Executive Summary: The Town of Tewksbury has recently approved two Comprehensive Permits that require any excess profit to be turned over to the Town. By having an established trust fund, the Town will have a dedicated depository for these funds as well as a source for any affordable housing initiatives the Town deems worthy of undertaking.

ARTICLE 3-29

To see if the Town will vote to authorize the Board of Selectmen to petition the State Legislature to enact an act amending the act establishing a Selectmen-Town Manager form of government for the Town of Tewksbury (Chapter 275 of the Acts of 1986 and Chapter 336 of the Acts of 1987) so as to delete the following language in Section 14:

"and the remaining two members of the Board of Assessors shall receive as compensation a minimum of ten percent of the salary of the Town Manager".

Or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Amend Article 3-29 and Adopt, as Amended.

Voted: The Finance Committee's Amendment was Adopted.
Article 3-29 was Adopted, as Amended.

5/6/02 9:38 PM

5/6/02 9:39 PM

AMENDMENT:

To see if the Town will vote to authorize the Board of Selectmen to petition the State Legislature to enact an act amending the act establishing a Selectmen-Town Manager form of government for the Town of Tewksbury (Chapter 275 of Acts of 1986, Chapter 336 of the Acts of 1987, Chapter 152 of the Acts of 1988 and Chapter 229 of the Acts of 1995) so as to delete the following language in Section 14:

“and the remaining two members of the Board of Assessors shall receive as compensation a minimum of ten percent of the salary of the Town Manager”.

Or take any other action relative thereto.

Town Manager

Executive Summary: Based on a preceding article which revises the Assessors salary to \$1200 per year, that article if adopted, would conflict with the language in the Special Act Charter. Therefore, the conflicting language needs to be deleted.

Accountant, Chief Assessor, Finance Director, Treasurer, Town Manager, Board of Selectmen, and Finance Committee: Pursuant to Section 15A, Chapter 41, Massachusetts General Laws, I hereby certify to the funds appropriated at the Annual Town Meeting, convened by proper Warrant on May 7, 2002.

**APPROPRIATION CERTIFICATE – 2002 ANNUAL TOWN MEETING
MAY 6 & 8, 2002**

(AMENDED MAY 30, 2002)

| <u>ARTICLE</u> | <u>RAISE & APPROPRIATE</u> | <u>TRANSFER FROM</u> | <u>BORROW</u> |
|---|------------------------------------|--|------------------------|
| 3-23 Reduce the Current Tax Levy. | | \$ 2,236,349.00 E & D Account | |
| 4. BUDGET | \$ 68,454,777.00 | | |
| 5. To Pay for Costs to Improve the Water Treatment Plant. | | | \$ 3,000,000.00 |
| 6. Design & Construction Water Mains on Anthony Road & Various Streets in Town. | | | \$ 300,000.00 |
| 7. Pay for Costs of Constructing Sewers in the Seneca & Navillus Road area and authorize the Assessment of Betterments or Sewer Connection Fees to Defray All or a Portion of the Costs of Such Improvements. | | | \$ 256,000.00 |
| 8. "Road Improvement Account" | | \$ 221,651.00 NESWC Waste to Energy Grant | |
| 9. Part-Time Webmaster. | 3,000.00 | | |
| RAISE & APPROPRIATE: | | \$ 68,457,777.00 | |
| TRANSFER E & D ACCOUNT: | | \$ 2,236,349.00 | |
| TRANSFERS: | | 221,651.00 | |
| TOTAL TRANSFERS: | | \$ 2,458,000.00 | |
| BORROW: | | | \$ 3,556,000.00 |

**APPROPRIATION CERTIFICATE – FISCAL 2003
RECAPITULATION**

(AMENDED MAY 30, 2002)

| | |
|---|-------------------------|
| <u>TAX LEVY (Total Raise & Appropriate)</u> | <u>\$ 68,457,777.00</u> |
| <u>REDUCE TAX LEVY (Art.3-23 Transfer From E&D)</u> | <u>\$ 2,236,349.00</u> |
| <u>NET TAX LEVY</u> | <u>\$ 66,221,428.00</u> |
| <u>From NESWC "Waste to Energy" Grant</u> | <u>\$ 221,651.00</u> |
| <u>From E&D to Reduce Tax Levy</u> | <u>\$ 2,236,349.00</u> |
| <u>TOTAL APPROPRIATION</u> | <u>\$ 68,679,428.00</u> |

ATTEST:
ELIZABETH A. CAREY, CMC, CMMC
TOWN CLERK

ARTICLE 4

Budget

To see what sums the Town will raise and appropriate, transfer or otherwise provide, for its necessary and expedient purposes as designated hereafter, and to direct that these funds be expended only for such purposes under the direction of the respective boards, committees and officers for the fiscal year which begins July 1, 2002 or take any related action.

| Budget Classification | <u>FY02 Adopted</u> | <u>FY03 Dept Requests</u> | <u>FY03 Mgr Recommend</u> | <u>FinCom Recommend VOTED 5/6/02</u> |
|----------------------------------|-------------------------|-------------------------------|-------------------------------|--|
| <u>GENERAL GOVERNMENT</u> | | | | |
| Moderator | | | | |
| Salaries | 500 | 500 | 500 | 500 |
| Operating | 100 | 100 | 100 | 100 |
| Total | 600 | 600 | 600 | 600 |
| Selectmen | | | | |
| Salaries | 28,120 | 28,185 | 28,185 | 28,185 |
| Operating | 107,200 | 101,944 | 96,944 | 96,944 |
| Total | 135,320 | 130,129 | 125,129 | 125,129 |
| Town Manager | | | | |
| Salaries | 310,441 | 319,438 | 317,913 | 312,555 |
| Operating | 4,990 | 9,890 | 4,290 | 4,290 |
| Total | 315,431 | 329,328 | 322,203 | 316,845 |
| Finance Committee | | | | |
| Salaries | 2,500 | 2,500 | 2,500 | 2,500 |
| Operating | 1,560 | 1,560 | 1,560 | 1,560 |
| Total | 4,060 | 4,060 | 4,060 | 4,060 |
| Town Counsel | | | | |
| Operating | 100,000 | 102,000 | 102,000 | 102,000 |
| Personnel Relations Review Board | | | | |
| Salaries | | | | |
| (Escrow for Wage Increase) | 460,262 | 232,000 | 232,000 | 33,000 |
| Operating | 200 | 200 | 200 | 200 |
| Total | 460,462 | 232,200 | 232,200 | 33,200 |
| Administrative Services | | | | |
| Salaries | 99,598 | 104,458 | 104,458 | 104,589 |
| Operating | 8,125 | 23,950 | 21,450 | 21,450 |
| Outlay | 1,200 | 0 | 0 | |
| Total | 108,923 | 128,408 | 125,908 | 125,908 |
| Town Clerk | | | | |
| Salaries | 192,640 | 203,037 | 203,037 | 203,037 |
| Operating | 14,720 | 12,395 | 12,395 | 12,395 |
| Total | 207,360 | 215,432 | 215,432 | 215,432 |
| Election | | | | |
| Salaries | 13,841 | 41,421 | 41,421 | 41,421 |
| Operating | 4,300 | 5,943 | 5,943 | 5,943 |
| Total | 18,141 | 47,364 | 47,364 | 47,364 |

| Budget Classification | <u>FY02 Adopted</u> | <u>FY03 Dept Requests</u> | <u>FY03 Mgr Recommend</u> | <u>FinCom Recommend</u> VOTED 5/6/02 |
|---------------------------------|--------------------------------|--------------------------------------|--------------------------------------|---|
| Board of Registrars | | | | |
| Salaries | 2,850 | 2,850 | 2,850 | 2,850 |
| Operating | 2,460 | 1,440 | 1,440 | 1,440 |
| Total | 5,310 | 4,290 | 4,290 | 4,290 |
| Total General Government | 1,355,607 | 1,193,811 | 1,179,186 | 974,828 |

FINANCE DEPARTMENT

| | | | | |
|---------------------------------|------------------|------------------|------------------|------------------|
| Accounting | | | | |
| Salaries | 153,564 | 176,244 | 176,244 | 175,134 |
| Operating | 9,023 | 10,962 | 9,062 | 9,062 |
| Total | 162,587 | 187,206 | 185,306 | 184,196 |
| Computer Services | | | | |
| Salaries | 117,278 | 123,096 | 123,096 | 123,096 |
| Operating | | 99,200 | 92,200 | 92,200 |
| Outlay | 67,000 | 73,500 | 67,500 | 67,500 |
| Total | 272,978 | 295,796 | 282,796 | 282,796 |
| Assessor | | | | |
| Salaries | 313,830 | 282,831 | 234,796 | 216,000 |
| Operating | 27,100 | 26,800 | 26,800 | 26,800 |
| Outlay | 0 | 2,500 | 0 | 0 |
| Total | 340,930 | 312,131 | 261,596 | 242,800 |
| Treasurer/Collector | | | | |
| Salaries | 386,523 | 359,331 | 331,390 | 323,088 |
| Operating | 201,380 | 198,500 | 190,500 | 190,500 |
| Outlay | 0 | 17,000 | 0 | 0 |
| Total | 587,903 | 574,831 | 521,890 | 513,588 |
| Total Finance Department | 1,364,398 | 1,369,964 | 1,251,588 | 1,223,380 |

COMMUNITY SERVICES

| | | | | |
|----------------------|---------|---------|---------|---------|
| Cable Television | | | | |
| Salaries | 2,500 | 2,500 | 2,500 | 2,500 |
| Operating | 10,460 | 10,460 | 10,460 | 10,460 |
| Total | 12,960 | 12,960 | 12,960 | 12,960 |
| Dog Officer | | | | |
| Salaries | 50,349 | 51,800 | 51,300 | 51,300 |
| Operating | 4,900 | 9,000 | 5,000 | 5,000 |
| Outlay | 0 | 22,000 | 0 | 0 |
| Total | 55,249 | 82,800 | 56,300 | 56,300 |
| Veteran's Services | | | | |
| Salaries | 59,355 | 59,944 | 59,944 | 59,944 |
| Operating | 80,000 | 116,000 | 106,000 | 106,000 |
| Total | 139,355 | 175,944 | 165,944 | 165,944 |
| Exceptional Children | | | | |
| Salaries | 25,933 | 23,631 | 23,631 | 23,631 |
| Operating | 14,800 | 18,000 | 14,500 | 14,500 |
| Total | 40,733 | 41,631 | 38,131 | 38,131 |

| Budget Classification | <u>FY02 Adopted</u> | <u>FY03 Dept Requests</u> | <u>FY03 Mgr Recommend</u> | <u>FinCom Recommend</u> VOTED 5/6/02 |
|--|--------------------------------|--------------------------------------|--------------------------------------|---|
| Patriotic Committee | | | | |
| Operating | 37,500 | 41,800 | 37,500 | 37,500 |
| Homecoming Committee | | | | |
| Operating | 15,300 | 16,500 | 15,300 | 15,300 |
| Recreation | | | | |
| Salaries | 143,114 | 171,829 | 171,829 | 171,829 |
| Operating | 61,000 | 66,100 | 61,100 | 61,100 |
| Total | 204,114 | 237,929 | 232,929 | 232,929 |
| Total Community Services | 505,211 | 609,564 | 559,064 | 559,064 |
| <u>COUNCIL ON AGING</u> | | | | |
| Salaries | 131,986 | 144,704 | 140,423 | 140,423 |
| Operating | 61,133 | 64,164 | 61,364 | 61,364 |
| Outlay | 1,200 | 0 | 0 | 0 |
| Total Council on Aging | 194,319 | 208,868 | 201,787 | 201,787 |
| <u>FACILITIES</u> | | | | |
| Town Hall | | | | |
| Salaries | 22,228 | 23,507 | 23,507 | 23,507 |
| Operating | 56,929 | 59,679 | 57,679 | 57,679 |
| Total | 79,157 | 83,186 | 81,186 | 81,186 |
| Auxiliary Buildings | | | | |
| Operating | 38,512 | 36,512 | 36,512 | 36,512 |
| School Building Committee | | | | |
| Salaries | 4,000 | 4,000 | 4,000 | 4,000 |
| Operating | 200 | 200 | 200 | 200 |
| Total | 4,200 | 4,200 | 4,200 | 4,200 |
| Cemeteries | | | | |
| Operating | 3,000 | 3,000 | 3,000 | 3,000 |
| Total Facilities | 124,869 | 126,898 | 124,898 | 124,898 |
| <u>LIBRARY</u> | | | | |
| Library | | | | |
| Salaries | 729,207 | 754,398 | 754,398 | 735,975 |
| Operating | 297,500 | 353,000 | 304,000 | 304,000 |
| Total | 1,026,707 | 1,107,398 | 1,058,398 | 1,039,975 |
| Library Building Committee | | | | |
| Salaries | 250 | 250 | 0 | 0 |
| Operating | 50 | 50 | 0 | 0 |
| Total | 300 | 300 | 0 | 0 |
| Total Library | 1,027,007 | 1,107,698 | 1,058,398 | 1,039,975 |
| <u>PLANNING AND DEVELOPMENT</u> | | | | |
| Conservation | | | | |
| Salaries | 3,276 | 0 | 0 | 0 |

| Budget Classification | FY02 Adopted | FY03 Dept Requests | FY03 Mgr Recommend | FinCom Recommend VOTED 5/6/02 |
|---------------------------------------|-------------------------|-------------------------------|-------------------------------|--|
| Planning (Community Development) | | | | |
| Salaries | 158,796 | 253,189 | 253,189 | 233,269 |
| Operating | 10,700 | 13,300 | 13,300 | 13,300 |
| Total | 169,496 | 266,489 | 266,489 | 246,569 |
| Board of Appeals | | | | |
| Salaries | 4,000 | 0 | 0 | 0 |
| Operating | 2,600 | 0 | 0 | 0 |
| Total | 6,600 | 0 | 0 | 0 |
| Building | | | | |
| Salaries | 326,182 | 287,070 | 287,070 | 295,049 |
| Operating | 11,320 | 9,070 | 9,070 | 9,070 |
| Total | 337,502 | 296,140 | 296,140 | 304,119 |
| Board of Health | | | | |
| Salaries | 198,090 | 208,868 | 208,868 | 208,868 |
| New Position | 0 | 9,451 | 0 | 0 |
| Operating | 36,550 | 36,950 | 36,550 | 35,963 |
| Total | 234,640 | 255,269 | 245,418 | 244,831 |
| Total Planning and Development | 751,514 | 817,898 | 808,047 | 795,519 |
| <u>PUBLIC SAFETY</u> | | | | |
| Police | | | | |
| Salaries | 4,539,772 | 4,818,824 | 4,646,570 | 4,760,809 |
| Operating | 284,267 | 393,355 | 297,405 | 297,405 |
| Outlay | 177,525 | 140,800 | 127,000 | 127,000 |
| Total | 5,001,564 | 5,352,979 | 5,070,975 | 5,185,214 |
| Auxiliary Police | | | | |
| Operating | 1,826 | 2,200 | 1,775 | 1,775 |
| Fire | | | | |
| Salaries | 3,396,504 | 3,972,355 | 3,857,024 | 3,769,257 |
| New Position | 0 | 329,518 | 0 | 0 |
| Operating | 213,670 | 230,280 | 214,760 | 214,760 |
| Outlay | 136,611 | 377,902 | 241,902 | 241,902 |
| Total | 3,746,785 | 4,910,055 | 4,313,686 | 4,225,919 |
| Emergency Management | | | | |
| Salaries | 4,258 | 4,464 | 4,464 | 4,464 |
| Operating | 15,485 | 12,245 | 12,245 | 12,245 |
| Outlay | 0 | 5,000 | 0 | 0 |
| Total | 19,743 | 21,709 | 16,709 | 16,709 |
| Parking Clerk | | | | |
| Salaries | 2,000 | 2,000 | 2,000 | 2,000 |
| Operating | 2,900 | 2,700 | 2,700 | 2,700 |
| Total | 4,900 | 4,700 | 4,700 | 4,700 |
| Total Public Safety | 8,774,818 | 10,291,643 | 9,407,845 | 9,434,317 |

| Budget Classification | <u>FY02 Adopted</u> | <u>FY03 Dept Requests</u> | <u>FY03 Mgr Recommend</u> | <u>FinCom Recommend</u> VOTED 5/6/02 |
|---------------------------------|--------------------------------|--------------------------------------|--------------------------------------|---|
| <u>SCHOOL DEPARTMENT</u> | | | | |
| Salaries | 20,987,646 | 21,864,043 | 21,864,043 | 20,864,043 |
| Operating | 6,337,872 | 7,933,743 | 7,281,640 | 7,281,640 |
| Outlay | 95,225 | 0 | 0 | 0 |
| Total School Department | 27,420,743 | 29,797,786 | 29,145,683 | 28,145,683 |
| <u>PUBLIC WORKS</u> | | | | |
| Department of Public Works | | | | |
| Salaries | 2,270,485 | 2,349,767 | 2,318,722 | 2,257,412 |
| Operating | 1,602,900 | 1,702,800 | 1,494,800 | 1,494,800 |
| Outlay | 143,802 | 491,876 | 165,896 | 165,896 |
| Total | 4,017,187 | 4,544,443 | 3,979,418 | 3,918,108 |
| Snow and Ice | | | | |
| Salaries | 76,006 | 76,007 | 76,007 | 76,007 |
| Operating | 124,000 | 124,000 | 124,000 | 124,000 |
| Total | 200,006 | 200,007 | 200,007 | 200,007 |
| Street Lighting | | | | |
| Operating | 146,328 | 145,014 | 138,529 | 138,529 |
| Solid Waste Disposal | | | | |
| Operating | 2,593,618 | 2,519,511 | 2,499,085 | 2,497,440 |
| Total Public Works | 6,957,139 | 7,408,975 | 6,817,039 | 6,754,084 |
| <u>UNCLASSIFIED</u> | | | | |
| Reserve Fund | 100,000 | 100,000 | 100,000 | 100,000 |
| Maturing Debt | 3,591,240 | 3,858,331 | 3,858,331 | 3,962,831 |
| Interest-Maturing Debt | 1,982,903 | 2,051,803 | 2,051,803 | 2,051,803 |
| Interest-Temporary Loans | 364,000 | 500,000 | 500,000 | 500,000 |
| Regional Vocational School | 3,111,114 | 3,458,212 | 3,358,212 | 3,342,083 |
| Retirement | 1,764,097 | 1,970,496 | 1,970,496 | 1,970,496 |
| Occupational Injury Reserve | 40,000 | 40,000 | 40,000 | 56,129 |
| Unemployment Compensation | 16,130 | 16,130 | 16,130 | 16,130 |
| Group Insurance | 5,974,230 | 6,533,552 | 6,433,552 | 6,433,552 |
| Medicare Tax | 316,000 | 320,000 | 320,000 | 320,000 |
| Fire/Liability Insurance | 338,575 | 448,218 | 448,218 | 448,218 |
| Total Unclassified | 17,598,289 | 19,296,742 | 19,096,742 | 19,201,242 |
| ATM Total Budget | 66,073,914 | 72,229,847 | 69,650,277 | 68,454,777 |

Motion: The Finance Committee Chairman, Ray Shaw, motioned to Adopt Article 4, per the Finance Committee's Recommendations, and Raise & Appropriate the amount of **\$68,454,777.00**

Voted: All Department's **NOT** marked for Debate were Adopted per the Finance Committee's Recommendations.

5/6/02 8:24 PM

The Moderator informed the Assembly that he would read the eleven (11) Budget Classifications and if any voter wishing to Debate any Budget to call out Debate and he would set that Department aside.

Executive Summary: The purpose of the Article is to fund various department budgets for FY03.

Debated Budgets

Patriotic Committee

Motion: The Finance Committee motioned to Adopt and Raise & Appropriate the sum of \$37, 500
Mrs. Lauran Caplan motioned to Raise & Appropriate the sum of \$41,800.

Voted: The Finance Committee's motion to Raise & Appropriate the sum of \$37, 500 was Adopted. 5/6/02 8:26 PM

Recreation

Motion: The Finance Committee motioned to Raise & Appropriate the sum of \$232,929 for the Recreation budget and this motion was Adopted. 5/6/02 8:27 PM

The Finance Committee motioned to Adopt the Total Budget, \$68,454,777, as recommended by the Finance Committee, and this motion was Adopted. 5/6/02 8:29 PM

ARTICLE 5

To see if the town will vote to appropriate the sum of \$3,000,000.00 to be expended by the Town Manager, for improving the water treatment plant by purchasing and installing equipment for water treatment, including costs incidental and related thereto, and that to raise this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$3,000,000.00 under and pursuant to Chapter 44, Section 8(7c), of the Massachusetts General Laws, or any other enabling authority, and to issue bonds or notes of the town therefor, and that the Town Manager be authorized to apply for, accept and expend any Federal, State or other grants that may be available for the project, or take any other action relative thereto.

Town Manager
Public Works Supt.

Motion: The Finance Committee motioned to Amend and Adopt Article 5 and submit Article 5 as re-written and as suggested by Bond Counsel.

Voted: The Finance Committee's Amendment was Adopted. 5/6/02 8:40 PM
Article 5 as re-written, was Adopted as Amended.
189 YES 9 NO (2/3's vote = 132) 5/6/02 8:44 PM

Amendment: (Changes to printed article are in bold): To see if the Town will vote to appropriate the sum of \$3,000,000, to be expended by the Town Manager, **to pay for costs** of improving the water treatment plant by purchasing and installing equipment for water treatment, including payment of all costs incidental and related thereto, and that to raise this appropriation, the Treasurer, with approval of the Selectmen, is hereby authorized to borrow \$3,000,000 under and pursuant to Chapter 44, Section 8(7C) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore, and further, that the Town Manager is hereby authorized to apply for, accept and expend any Federal, State or other grants that may be available for the project; **provided, however, that no funds shall be borrowed or expended hereunder unless and until the Town shall have closed on the sale of the Court Street Property, so-called,** or take any other action relative thereto.

Executive Summary: The purpose of this article is to authorize funds for the next phase of the Water Treatment Plant development. The primary purpose of this phase is to upgrade and expand the sludge disposal system due to the age of the current equipment, prior expansion of the plant's ability to pump finished water, and the inability to use the sewer system as backup or primary means for sludge disposal.

ARTICLE 6

To see if the town will vote to appropriate the sum of \$300,000 to be expended by the Town Manager, for the design and construction of water mains appurtenances on Anthony Road and on various streets in town, including costs incidental and related thereto; that the Town Manager be authorized on behalf of the town to acquire any fee, easement or other interest in land therefor, by eminent domain, purchase, gift or otherwise; that to raise such appropriation the Treasurer, with the approval of the Selectmen, be authorized to borrow \$300,000 under and pursuant to Chapter 44, Section 8 of the Massachusetts General Laws, or any other enabling authority, and to issue bonds or notes of the town therefor and that the Town Manager be authorized to apply for, accept and expend any federal, state or other grants that may be available for the project, or take any other action relative thereto.

Town Manager
Public Works Superintendent

Motion: The Finance Committee motioned to Adopt and Raise by Borrowing and appropriate the sum of \$300,000 for the purpose of the article and submit Article 6, as re-written and as suggested by Bond Counsel

Voted: Article 6 was Adopted. 50 YES, 1 NO (2/3's vote = 34)

5/6/02 8:45 PM

Motion: That the sum of \$300,000 is hereby appropriated, to be expended by the Town Manager, to pay costs of the design and construction of water mains and appurtenances on Anthony Road and on various streets in Town, including the payment of all other costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is hereby authorized to borrow \$300,000 under and pursuant to Chapter 44, Section 8 of the Massachusetts General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; that the Town Manager is hereby authorized on behalf of the Town to acquire any fee, easement or other interest in land therefore, by eminent domain, purchase, gift or otherwise, and that the Town Manager is hereby authorized to apply for, accept and expend any federal, state or other grants that may be available for this project.

Executive Summary: The purpose of this article is to replace the water main in Anthony Road due to the numerous water breaks to this pipe over the past two years.

ARTICLE 7

To see if the Town will vote to raise and appropriate, or borrow \$256,000 paying the costs of constructing sewers in the Seneca and Navillus Road area of Town, including the payment of all costs incidental and related thereto, and in addition thereto, to see if the Town will authorize the assessment of betterments or sewer connection fees to defray all or a portion of the costs of such improvements, or take any other action relative thereto.

Town Manager
Public Works Superintendent

Motion: The Finance Committee motioned to Adopt and Raise By borrowing the sum of \$256,000 for the purpose of the article and submit Article 7, as re-written and suggested by Bond Counsel.

Voted: Article 7 was Adopted. 44 YES 1 NO (2/3's vote = 30)

5/6/02 8:47 PM

Motion: That the Town hereby appropriates the sum of \$256,000 to pay costs of constructing sewers in the Seneca and Navillus Road area of the Town, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore, and further, that the Town is hereby authorized to assess betterments or sewer connection fees to defray all or a portion of the costs of the foregoing improvements.

Executive Summary: The purpose of this article is to authorize the borrowing of funds so that a sewer line can be constructed on Seneca Road and Navillus Road to serve approximately 22 homes on the street. The property owners have agreed to pay the sewer construction cost from the assessment of betterments over a term of up to 15 years so that a resident paying the betterment of 15 years would pay an average of \$1000.00 per year.

ARTICLE 8

To see if the Town will vote to transfer \$221,651 from the North East Solid Waste Committee (NESWC) "Waste to Energy" Grant to the "Roads Improvement Account" and said fund shall be expended by the Public Works Superintendent for the reconstruction and repaving of various town streets, or take any action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt Article 8 and Transfer the sum \$221,651, for the purpose of the article.

Voted: Article 8 was Adopted, per the Finance Committee's Recommendation.

5/6/02 8:48 PM

Executive Summary: In March, 2001 the Town received the first of three installments from the Waste to Energy grant in the amount of \$443,303. Each of the NESWC communities was required to pay for the retrofit of the waste-to-energy facility as part of an agreement between NESWC and MRI (the operator of the facility). In anticipation of receiving the grant funds the communities paid their portion of the retrofit costs in May 1999. The above amount represents a partial reimbursement of funds paid by the Town to cover the cost of retrofitting the waste-to-energy facility. These funds are not restricted for any specific purpose. The transfer would allow these funds to be used to continue road improvements in the Town of Tewksbury.

ARTICLE 9

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of three thousand dollars (\$3,000) to be expended by the Computer Services Department for the purpose of hiring a part time Webmaster to support the Office Town of Tewksbury website, or take any other action relative thereto.

Board of Selectmen

Motion: The Finance Committee motioned to Adopt Article 9 and Raise and Appropriate the sum of \$3000 for the purpose of the article.

Voted: Article 9 was Adopted per the Finance Committee's Recommendation.

5/6/02 8:49 PM

Executive Summary: The Official Town of Tewksbury website was created and is currently being maintained by a volunteer, at no expense to the Town. The creation and funding of this part time position will allow the Town to provide residents with more timely access to Town information, allowing residents to review online documentation that includes Town policies, procedures, and By-Laws. This allows a resident to easily obtain important information, or get questions answered outside of regular business hours.

ARTICLE 10

To see if the Town will vote to raise and appropriate or borrow the sum of \$1,000,000.00 for the construction of sidewalks on various streets in the Town, including costs incidental and related thereto; that the Town Manager is authorized to expend these sums and on behalf of the Town to acquire any fee, easement or purchase, gift or otherwise; that to raise such appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$1,000,000.00 under any enabling authority, and to issue bonds or notes of the Town therefor; and that the Town Manager is authorized to apply for, accept and expend any federal, state or private grants or contributions that may be available with respect to the project, all of which contributions and grants shall be applied to the project in addition to the sums appropriated by the Town for such purposes; provided that this vote shall be contingent on passage by voters of a Proposition 2½ debt exclusion vote at a town election, or take any other action relative thereto.

Board of Selectmen

Motion: Board of Selectmen Chairman, Kevin Anderson, after conferring with the Sidewalk Committee, motioned to Withdraw Article 10.

Voted: Article 10 was Withdrawn.

5/6/02 8:50 PM

Executive Summary: The purpose of the article is fund and install sidewalks in various parts of town. The total cost of the project is \$1,000,000.00 and will take five years at a cost of \$200,000.00 per year.

ARTICLE 11

To see if the Town will vote to raise and appropriate the sum of \$25,000 to fund the Tewksbury Planning Board's Comprehensive Master Plan Initiative in accordance with MGL 41, Section 81D, or take any other action relative thereto.

Planning Board

Motion: Planning Board Member, Frank Sweet, motioned to Withdraw Article 11.

Voted: Article 11 was Withdrawn.

5/6/02 8:50 PM

Executive Summary: This request is a follow-up to Article 10 of the 2001 October Special Town Meeting. The original request for that article was for \$50,000, but was reduced to accommodate other fiscal constraints. This sum will allow the Town to enter into a contract to complete the Master Plan. Once completed, the Comprehensive Master Plan will serve as a policy guidance document for all Town boards and committees that impact land use. It is anticipated that the project will take 12-24 months to complete.

ARTICLE 12

To see if the Town will vote to raise and appropriate by borrowing or transfer from available funds the sum of \$140,000. Said funds will be used by the School Committee for the installation of local area networking (LAN) in the North Street, Trahan, Dewing, Ella Flemings and Heath Brook Schools.

School Committee

Motion: School Committee Member, Scott Consaul, motioned to Withdraw Article 12.

Voted: Article 12 was Withdrawn. 5/6/02 8:51 PM

Executive Summary: The installation of the LANS satisfies a Department of Education requirement that in school year 2003 all classrooms have internet access. The installation of the LANS also supports the integration of technology into the curriculum and facilitates the distribution of our student data management application to the classroom teacher, e. g., attendance, report cards, progress reports, etc.

ARTICLE 13

To see if the Town will vote to raise and appropriate or transfer from available funds the amount of \$56,000.00 to be used by the Tewksbury School Department to make needed safety repairs at the following recreational fields: Heath Brook School, Dewing School, North Street School, Ryan School, Conlon Field, Middle School Field and Strong Field.

Mark E. Smolinsky and Others

Motion: Board of Selectmen Chairman, Kevin Anderson, presented a written request from Mark E. Smolinsky, President, Tewksbury Girls Softball, to Withdraw Article 13.

Voted: Article 13 was Withdrawn. 5/6/02 8:52 PM

Executive Summary: The purpose of this article is to seek funding for improvements for various recreational fields within the Town of Tewksbury. The existing conditions of many of these fields are dangerous for our children to play on. This article is being requested on behalf of the four hundred (400) young ladies who actively participate in the Tewksbury Girls' Softball program; however, improvements to these recreational fields will benefit all of the children of Tewksbury.

ARTICLE 14

To see if the Town will vote to amend the Personnel By-Laws, Section III (e) – Salaries and Wages – effective July 1, 2002 by deleting the existing Assessor part-time wage schedule and inserting a new wage schedule as follows:

Delete:

| | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|--------------------|---------|---------|---------|---------|---------|---------|
| Assessor part-time | \$7,662 | \$8,046 | \$8,449 | \$8,872 | \$9,315 | \$9,781 |

Insert:

Assessor part-time \$100.00 Monthly

And to see if the Town will vote to amend the Personnel By-Laws, Section III (e) – Salaries and Wages – by adding the following new position effective July 1, 2002:

| | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|--------------------|----------|----------|----------|----------|----------|
| Assistant Assessor | \$41,885 | \$43,980 | \$46,179 | \$48,487 | \$50,914 |

Or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt Article 14.

Voted: Article 14 was Adopted by a Secret Ballot vote. 98 YES, 82 NO

5/6/02 9:04 PM

Executive Summary: The purpose of this article is to adjust the wage schedule of the Assessor part-time due to changes in job responsibilities. The Assessor part-time position is being reclassified to handle administrative responsibilities only. The Assistant Assessor would work under the supervision of the Chief Assessor for 40 hours per week and would assume many of the responsibilities of the Assessor part-time.

ARTICLE 15

To see if the Town will vote to amend the Personnel By-Laws, Section III 3 (e) – Salaries and Wages – effective July 1, 2002, by deleting the following positions from the existing wage schedule and inserting them in a new wage schedule which shall be exempt from any annual cost of living increases granted to other positions under the Personnel By-Laws and establishing a new Section III (e-4):

Delete:

| | |
|------------------|------------------|
| Team Leader | Hourly \$15.6897 |
| Senior Counselor | Hourly \$10.9601 |
| Junior Counselor | Hourly \$ 8.0000 |

Insert:

| | |
|------------------|----------------|
| Team Leader | Hourly \$16.00 |
| Senior Counselor | Hourly \$11.00 |
| Junior Counselor | Hourly \$ 8.00 |

Insert:

Section III (e-4) – The Personnel Relations Review Board shall perform a survey of wages paid for the hourly seasonal positions of Team Leader, Senior Counselor and Junior Counselor or similar positions in surrounding communities at least every three years. Adjustments, if any, shall be submitted as a warrant article in the next regularly scheduled Town Meeting.

Town Manager

Motion: The Finance Committee motioned to Adopt Article 15.

Voted: Article 15 was Adopted by a Secret Ballot vote. 82 YES, 22 NO

5/6/02 9:11 PM

Executive Summary: The positions noted above work an average of 240 hours per year primarily to staff the Recreation Department summer programs. Based on a survey of surrounding communities it has been determined that the hourly rates currently paid are comparable and therefore do not need to be increased for FY2003.

ARTICLE 16

To see if the Town will vote to amend the Personnel By-Laws effective July 1, 2002, by deleting Section III (g) and Section III (h) and inserting a new Section III (g) and a new Section III (h) as follows:

Delete:

(g) An employee in a non-supervisory position who is directed to assume full-time responsibility of an established supervisor's position during his absence for a period of one week or longer shall be paid at the grade level of the person being replaced after approval of the department and the Chairman of the Board.

Insert:

(g) An employee in a non-supervisory position who is directed to assume full-time responsibility of an established supervisor's position during their absence for a period of **five days** or longer shall be paid at the next higher steps over the non-supervisory employee's current steps (adjusted for differences in the number of hours for the replaced employee's position) in the wage

schedule for the replaced employee's position, **but not more than \$50 per week over their present weekly**, after approval of the Department Head and the **Town Manager**.

Delete:

(h) An employee who is directed to assume full-time responsibility of a higher grade level during the absence of the incumbent of an established position for a period of four (4) days or longer shall be paid the next higher step over their existing step in the replaced employee's grade level after approval of the Department Head and the Town Manager. Said employee shall receive a minimum differential of twenty-five (\$25) dollars for working out of grade.

Insert:

(h) A **non-supervisory** employee who is directed to assume full-time responsibility of a higher **non-supervisory** grade level during the absence of the incumbent of an established position for a period of **five (5)** days or longer shall be paid the next higher step over their existing step in the replaced employee's grade level after approval of the Department Head and the Town Manager. Said employee shall receive **not less than twenty-five (\$25) dollars nor more than fifty (\$50) dollars per week over their present base weekly wage**.

Town Manager

Motion: The Finance Committee motioned to Amend Article 16 and Adopt, as Amended.

Voted: The Finance Committee's Amendment was Adopted. 5/6/02 9:12 PM
Article 16 was Adopted, as Amended. 5/6/02 9:12 PM

AMENDMENT:

Replace **"five days"** with **"five consecutive business days"** in section (g).

Executive Summary: This article clarifies the amounts to be paid to employees for working out of grade.

ARTICLE 17

To see if the Town will vote to amend the Personnel By-Laws, Section III (e) – Salaries and Wages – effective July 1, 2002, by adding a new position and wage schedule as follows:

Add:

Webmaster \$10.00/hr.

Or take any other action relative thereto.

Board of Selectmen

Motion: The Finance Committee motioned to Adopt Article 17.

Voted: Article 17 was Adopted. 5/6/02 8:50 PM

Executive Summary: The purpose of this article is to amend the Personnel By-Laws to create a new position and establish a wage schedule.

ARTICLE 18

To see if the Town will vote to amend the Personnel By Laws Section IV Fringe Benefits paragraph (D) Personal Days as follows to be effective July 1, 2002:

Delete: "Permanent employees are entitled to two (2) personal days leave per year, **one to be deducted from sick leave**, to be used upon approval by the department head. Personal days shall not be awarded in the event of termination attributed to an employees' adverse action".

Add: "Permanent employees are entitled to two (2) personal days leave per year to be used upon approval by the department head. Personal days shall not be awarded in the event of termination. Personal days shall not be accumulated from year to year.

Personnel Relations Review Board

Motion: The Finance Committee motioned to Amend and Adopt Article 18.

Voted: The Finance Committee's Amendment was Adopted.
Article 18 was Adopted, as Amended. 106 YES, 23 NO

5/6/02 9:15 PM
5/6/02 9:23 PM

AMENDMENT: In the "Add" section, insert the words in bold:

Personal days shall not be awarded in the event of termination or retirement.

Executive Summary: The purpose of the article is to allow permanent employees under the Personnel By Law two personal days leave per year without being deducted from sick time. The existing provision has been in the Personnel By Laws since 1988. The proposed change currently exists in the fire and police contracts.

ARTICLE 19

To see if the Town will vote to amend the Personnel By Laws, Definition of Terms as follows to be effective July 1 2002:

Delete: Work Week: Full time work week shall consist of Schedule A employees forty (40) hours a week Schedule B employees thirty-seven and one half (37.5) hours per week

Add: Work Week: Full time work week shall consist of Schedule A employees forty (40) hours a week Schedule B employees thirty-seven and one half (37.5) hours per week or forty (40) hours per week as defined by the job description.

Or take any other action relative thereto.

Personnel Relations Review Board

Motion: The Finance Committee motioned to Adopt Article 19.

Voted: Article 19 was Adopted.

5/6/02 9:18 PM

Executive Summary: The purpose of this article is to correct an omission from Article 18 of the May 1, 2000, annual town meeting.

ARTICLE 20

To see if the Town will vote to amend the Personnel By-Law, Section III, The Classification and Wage schedule effective July 1, 2003, as follows:

(e-1) Salaries and Wages:

Delete:

| | |
|------------------------------------|-----------|
| Plumbing & Gas Inspector | FEE BASIS |
| Plumbing & Gas Inspector Assistant | FEE BASIS |
| Wire Inspector | FEE BASIS |

Add:

| | |
|---------------------------------|-------------|
| Plumbing & Gas Inspector (WKLY) | \$425.00/wk |
| Wire Inspector (WKLY) | \$425.00/wk |

Add:

The following new positions and wage schedules:

| | |
|-------------------------------------|-------------|
| Plumbing & Gas Inspector, Alternate | \$85.00/day |
| Wiring Inspector, Alternate | \$85.00/day |

Delete:

(e-3) The annual salary account for the Plumbing/Gas Inspector and the Plumbing/Gas Inspector Assistant shall be calculated at 50% of the average of the total annual fees assessed for plumbing, gas and sewer inspections during the three previous calendar years. Likewise, the annual salary for the Wiring Inspector shall be calculated using the same formula as applied to fees assessed for the wiring inspections.

The total of fees assessed and subsequently waived shall be added to the actual annual receipts reported to the Treasurer and Auditor.

Or take any other action relative thereto.
Building Commissioner

The Moderator accepted a typo; in the 1st paragraph, second line, change 2003 to **2002**.

Motion: The Finance Committee motioned to Adopt Article 20.

Voted: Article 20 was Adopted. 5/6/02 9:20 PM

Executive Summary: The purpose of this article is to create a fixed salary for the Plumbing & Gas Inspector and the Wiring Inspector. A poll of the surrounding area towns established this salary level. In addition, we need to formally establish the positions of Alternates for both the Plumbing & Gas Inspector and Wiring Inspector.

ARTICLE 21

To see if the Town will vote to amend the Personnel By-Laws, Section III (e) Salaries and Wages as follows to be effective July 1, 2002:

Delete:

| | <u>Step 1</u> | <u>Step 2</u> | <u>Step 3</u> | <u>Step 4</u> | <u>Step 5</u> | <u>Step 6</u> |
|------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Animal Inspector | 1,943 | 2,041 | 2,143 | 2,251 | 2,363 | 2,479 |

Add:

| | <u>Step 1</u> | <u>Step 2</u> | <u>Step 3</u> | <u>Step 4</u> | <u>Step 5</u> | <u>Step 6</u> |
|------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Animal Inspector | | | 2,870 | 3,014 | 3,165 | 3,323 |

Or take any other action relative thereto.
Board of Health

Motion: The Finance Committee motioned to Amend and Adopt Article 21, as Amended.

Voted: The Finance Committee's Amendment was Adopted. 5/6/02 9:20 PM
Article 21 was Adopted, as Amended by a Secret Ballot vote. 69 YES, 27 NO 5/6/02 9:28 PM

AMENDMENT:

| Delete | <u>Step 1</u> | <u>Step 2</u> | <u>Step 3</u> | <u>Step 4</u> | <u>Step 5</u> | <u>Step 6</u> |
|------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Animal Inspector | 1,943 | 2,041 | 2,143 | 2,251 | 2,363 | 2,479 |

| Add: | <u>Step 1</u> | <u>Step 2</u> | <u>Step 3</u> | <u>Step 4</u> | <u>Step 5</u> | <u>Step 6</u> |
|------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Animal Inspector | 2,363 | 2,479 | 2,870 | 3,014 | 3,165 | 3,323 |

Executive Summary: The position currently exists, but the salary structure has not been evaluated for several years, beyond cost of living increases. The Board of Health has conducted a poll of Massachusetts's communities, and has determined that the position currently pays less than other comparable or smaller cities and towns. This amendment would bring the salary to a more competitive level with other communities.

ANY ARTICLES VOTED TO BE REMOVED FROM THE CONSENT CALENDAR SHALL BE RESTORED TO ITS ORIGINAL NUMBERED PLACE IN THE WARRANT.

ARTICLE 3-22
ARTICLE 3-23
ARTICLE 3-24
ARTICLE 3-25
ARTICLE 3-26
ARTICLE 3-27
ARTICLE 3-28
ARTICLE 3-29

SECTION 3 (Lottery System)

| | | |
|------------|-----------------|--|
| Article 30 | Town By-Law | Section 2.04.012 |
| Article 31 | Town By-Law | Section 3.08.160 |
| Article 32 | Town By-Law | Section 3.08.020 |
| Article 33 | Town By-Law | Section 2.04.070 |
| Article 34 | Town By-Law | Section 2.16.020 |
| Article 35 | Town By-Law | Section 13.16.010 |
| Article 36 | Town By-Law | Section 18.04.30 |
| Article 37 | Town By-Law | Title 11 Chapter 11.04 |
| Article 38 | Zoning By-Law | Section 8 |
| Article 39 | Zoning By-Law | Section 2, Section 4.6.D, Section 4.6.H |
| Article 40 | Zoning By-Law | Section 16 |
| Article 41 | Zoning By-Law | Section 3 |
| Article 42 | Zoning By-Law | Section 4.9 |
| Article 43 | Zoning By-Law | Section 2, Section 4.6.A, Section 4.13 |
| Article 44 | Zoning By-Law | Section 3 |
| Article 45 | General Article | Accept sewer line/pump station New Jersey Road |
| Article 46 | General Article | Extend Sanitary Sewer Line |

ARTICLE 30

To see if the Town will vote to amend the Town By-Laws, Section 2.04.012, Annual Town Meeting lottery, by deleting paragraph one and adding a new proposed paragraph one.

Delete current paragraph one:

The motion to lay on the table at the Annual Town Meeting is prohibited. At the specific time when the Budget Article is to be acted upon, the order of consideration shall be drawn by the Moderator from a container which shall contain the Department heading. In no event shall a secret ballot be required for items under the budget article for a vote on the items.

Add proposed new paragraph one:

Except for a motion by the Finance Committee to lay on the table at the Annual Town Meeting to a date, place and time specific, for any article related to an appropriation, transfer or borrowing of funds; the motion to lay on the table at the Annual Town Meeting is prohibited. At the specific time when the Budget Article is to be acted upon, the order of consideration shall be drawn by the Moderator from a container which shall contain each **Budget Classification Total**. At the call of the **Budget**, the Moderator shall call out the heading of each **Budget Classification** and if any voter wishes to speak on any budget listed under each **Budget Classification** he/she should call out "Debate". Transfers of monies within each **Budget Classification Total** shall be prohibited without the prior written approval of the Town Manager and the Department Head responsible for such budget. In the event the Town Manager shall notify the Finance Committee and the appropriate monies shall be transferred to the department to which the employee is transferred.

Town Meeting Review Committee
Selectman John Ryan, Chairman

Motion: The Finance Committee motioned to Amend and Adopt Article 30.

Voted: The Finance Committee’s Amendment was Adopted. 9:30 PM 5/8/02
Article 30 was Adopted, as Amended. 9:30 PM 5/8/02

AMENDMENT: Delete “by the Finance Committee” in the first sentence.

Executive Summary: The intent of this article is to provide a more efficient manner to address the annual town meeting budget process.

ARTICLE 31

To see if the Town will vote to amend the Town By-Laws, Section 3.08.160.

Delete the current 3.08.160:

Issuance of septic permits-Conservation Commission to be notified. The Building Inspector and Board of Health offices are required to notify the Conservation Commission and Selectmen’s Office before issuing building or septic permits in wetland or floodplain regions.

Add proposed new 3.08.160:

Issuance of septic permits-Conservation Commission to be notified. The Building Commissioner and Board of Health offices are required to notify the Conservation Commission when issuing building or septic permits in wetland or floodplain regions.

Town Meeting Review Committee
Selectman John Ryan, Chairman

Motion: The Finance Committee motioned to Adopt Article 31.

Voted: Article 31 was Adopted. 9:15 PM 5/8/02

Executive Summary: The intent of this article is to update the language and procedure in the current by-law by changing Inspector to Commissioner and deleting the Selectmen’s office from the notification requirement.

ARTICLE 32

To see if the Town will vote to amend the Town By-Laws 3.08.020.

Delete the current 3.08.020: Annual audit required.

There shall be an annual audit of the Town’s accounts under the supervision of the Director of Accounts of the Department of Corporations and Taxation in accordance with the provisions of Section 35, Chapter 44 of the General Laws.

Add proposed new 3.08.020: Annual audit required.

There shall be an annual audit of the Town’s accounts, performed by a Certified Public Accountant firm, appointed by the Board of Selectmen.

Town Meeting Review Committee
Selectman John Ryan, Chairman

Motion: The Finance Committee motioned to Amend and Adopt Article 32.

Voted: The Finance Committee's Amendment was Adopted.
Article 32 was Adopted, as Amended.

10:14 PM 5/8/02
10:14 PM 5/8/02

AMENDMENT: Change "Accountant" to "Accounting" in the last sentence (of the Warrant).

Executive Summary: The intent of this article is to update the language in the current by-law.

ARTICLE 33

To see if the Town will vote to amend the Town By-Laws, Section 2.04.070.

Delete the current 2.04.070:

Minutes to be included in Annual Report. The Town Clerk shall include a copy of the minutes of all meetings held during the current year in the Annual Report of the Town Officers of the Town of Tewksbury.

Add proposed new 2.04.070:

Minutes to be included in Annual Report. The Town Clerk shall include a copy of all Town Meeting minutes held during the current year in the Annual Report.

Town Meeting Review Committee
Selectman John Ryan, Chairman

Motion: The Finance Committee motioned to Adopt Article 33.

Voted: Article 33 was Adopted.

9:15 PM 5/8/02

Executive Summary: The intent of this article is to fine-tune the language in the current by-law.

ARTICLE 34

To see if the Town will vote to amend the Town By-Laws Chapter 2.16 Council on Aging Section 2.16.020 Membership as follows:

Delete:

MEMBERSHIP OF COUNCIL: The Council shall consist of eleven (11) members who shall serve for a three (3) year term. The Board of Selectmen shall appoint five (5) members of the Council. The remaining six (6) members of the Council shall be appointed by the Council Chairman from interested and representative community groups and individuals.

Add:

MEMBERSHIP OF COUNCIL: The Council shall consist of eleven (11) members who shall serve for a three (3) year term; and, three Alternate members who will serve for a two (2) year term. The Board of Selectmen shall appoint five (5) members of the Council. The remaining six (6) Council members and three (3) Alternate members of the Council on Aging shall be appointed by the Council Chairman from interested and representative community groups and individuals. Alternate member appointments by the Chairman must be approved by a majority vote of the Council on Aging members.

Council on Aging

Motion: Council On Aging Director, Linda Brabant, motioned to Amend Article 34 and Adopt, as Amended.

Voted: Mrs. Brabant's Amendment was Adopted.
Article 34 was Adopted, as Amended.

10:12 PM 5/8/02
10:12 PM 5/8/02

AMENDMENT: Amend the last line of the article by deleting the last four words of the last sentence:
"Council on Aging members."
And adding "full Council membership."

The last sentence as amended should read:
Alternate member appointments by the Chairman must be approved by a
majority vote of the full Council membership.

Executive Summary: This article will assist the Council on Aging in having a quorum at most all monthly meetings; will allow for additional input by residents; and, would assist those members experiencing an extended but temporary illness.

ARTICLE 35

To see if the Town will vote to amend the Town By-Laws, Chapter 13.16, Municipal Services for Condominiums and Housing Cooperative Corporations, Section 13.16.010 by adding after the word "Corporations", in all paragraphs, "**or single family structures within a development authorized under Massachusetts General Laws Chapter 40B**" as written below.

Municipal Services for Condominiums and Housing Cooperative Corporations

- A. Except as provided or in Subsection (c) of this section, the Town of Tewksbury shall provide the following services to residential condominiums organized under M. G. L. c. 183A and to Housing Cooperative Corporations organized under M. G. L. c. 15(B), S4, whether owner occupied or rental, and regardless of the number of units in the building, or buildings, comprising the Condominium or Housing Cooperative Corporations **or single family structures within a development authorized under Massachusetts General Laws Chapter 40B** in the same fashion as the Town of Tewksbury provided those services to single family residences:

1. Collection of recyclable materials and garbage.

Or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Amend and Adopt Article 35.

Voted: The Finance Committee's Amendment was Adopted.
Article 35 was Adopted, as Amended.

8:11 PM 5/8/02
8:11 PM 5/8/02

AMENDMENT: 2nd paragraph A.

In the 1st line add an "s" to the letter "a" to read "as" and delete the word "or".

Executive Summary: The proposed warrant article would have the effect of providing trash service to single family structures within a development authorized under Massachusetts General Laws Chapter 40B in the Town of Tewksbury. These services may include the collection of recyclable materials and garbage.

ARTICLE 36

To see if the town will vote to amend the Wetland Protection Bylaw, Section 18.04.30, Jurisdiction, Paragraph (6), by changing the end of the section from:

The 25-foot buffer strip and 25-foot "buffer strip" setback shall not be required for the maintenance, repair, or replacement (without substantial enlargement unless required by law) of any existing and lawfully located structure, septic system, water line, utility line, or similar facility in those areas. In these cases, the Commission shall require the applicant to maintain a 10-foot wide buffer strip of undisturbed, natural vegetation between the proposed activity and the resource area(s).

To:

The 25-foot buffer strip and 25-foot "buffer strip" setback shall not be required for the maintenance, repair, or replacement (without substantial enlargement unless required by law) of any existing and lawfully located structure, septic system, water line, utility line, or similar facility in those areas. In these cases, the Commission shall require the applicant to maintain a 10-foot wide buffer strip of undisturbed, natural vegetation between the proposed activity and the resource area(s). Whether a 10 foot or 25 foot buffer strip is required, the Commission shall not permit encroachment into the buffer strip other than as described in the above paragraph. The Commission is not to consider what is expedient for the applicant in its enforcement of the buffer strip provision of this by-law.

Keith Rauseo and Others

Motion: Mr. Keith Rauseo motioned to Adopt Article 36.
The Conservation Commission supported Mr. Rauseo's motion.
Mr. Richard Cuoco motioned to Indefinitely Postpone Article 36.

Voted: Mr. Cuoco's motion to Indefinitely Postpone Article 36, Failed. 51 YES, 57 NO
Article 36 was Adopted.

8:07 PM 5/8/02

8:10 PM 5/8/02

Executive Summary: The purpose of this article is to clarify the intent of the 25-foot no-disturb buffer strip adopted by the 2001 Annual Town Meeting. Since that adoption the Conservation Commission has allowed encroachment into the buffer strip for reasons other than those stated in the by-law. This amendment should prevent that from happening again, and will give more weight to an appeal should the Commission allow it again.

ARTICLE 37

To see if the town will vote to amend the Town Bylaws by adding a new section Title 11 Chapter 11.04 as follows:

RIGHT-OF-WAY BY-LAW

PREAMBLE

In partial fulfillment of the obligation to see to the prudent management of the Town's affairs and assets and in light of the continuing technological revolution in telecommunications, the passage of the Telecommunications Act of 1996 and the de-regulation of the electric and natural gas industries in the Commonwealth, the Town hereby establishes a comprehensive and fair system of regulation for all entities which desire to use the Town's Rights-of-Way.

INTRODUCTION

A. The purpose of and intent of this Right-of-Way By-Law is to:

Provide the Town with accurate and current information concerning all facilities located in the Town's Rights-of-Way together with current information concerning entities owning or controlling the Facilities, and to:

1. Permit and manage reasonable access to the public Rights-of-Way on a competitively neutral basis, and
2. Manage Grants of Location in Public Ways, and
3. Conserve the limited physical capacity of the Rights-of-Way held in public trust by the Town, and
4. Assure that the Town is appropriately compensated when its Rights-of-Ways are utilized by non-governmental entities, and
5. Assure that the Town's current and on-going costs of granting and regulating private access to and use of the public Right-of-Way are fully paid by the persons seeking such access and causing such costs, and
6. Assure that the Town can continue to fairly and responsibly protect the public health, safety and welfare.

B. *This By-Law is adopted in accordance with the authority granted, inter alia, by Amendment Article 89 to Article II of the Massachusetts Constitution, M.G.L. Chapter 43B section 13, M.G.L. Chapter 40, sections 4, 21 and 22F, and Chapter 85.*

DEFINITIONS

Applicant: Any person or entity, including without limitation implied, Public Utility, Telecommunications Carrier, Local Exchange or municipal department which owns or exercises general responsibility and control over any Facility.

Application: The written application on a form prescribed by the Awarding Authority with any required documentation and the Application Fee by which an Applicant or Co-Locator requests a Right-of-Way Permit.

Application Fee: A fifty (\$50.00) dollar non-refundable processing fee which shall accompany each application for a Right-of-Way Permit.

Attachment: Any device, apparatus, appliance, equipment, wire or cable or other thing including any Telecommunications Facility installed or proposed to be installed on or in any Existing Facility whether by Applicant or Co-Locator or proposed to be installed on any New Facility by Applicant or Co-Locator.

Awarding Authority: The Board of Selectmen of the Town of Tewksbury which has authority to exercise the powers granted by this By-Law.

Co-Locator: Any person or entity other than Applicant who desires to use an Existing or New Facility.

Contractor: All officers or employees of Applicant or Co-Locator who perform or any person or entity engaged by or on behalf of Applicant or Co-Locator to perform construction, repair or maintenance work on Overhead or Underground Facilities owned by Applicant and permitted by the Awarding Authority which are located in the Right-of-Way. The Contractor for purposes of this By-Law and for all questions of liability in connection with any construction, repair or maintenance work on Overhead or Underground Facilities owned by Applicant which are located in the Right-of-Way shall be conclusively deemed an agent of Applicant or Co-Locator for whom Applicant or Co-Locator is fully responsible.

Default: The failure of the Permit Holder (including all Contractors or other agents of Permit Holder) (i) to pay when due any License Rental, (ii) to perform fully any covenant of the License or otherwise fail to comply with any provision of the License Agreement, the Right-of-Way Permit or the By-Law, following ten days prior written notice to Licensee from Town, (iii) to keep its Certificate of Insurance in full force and effect, or (iv) to provide the service that is outlined in its Application (except for interruptions in service due to Emergency Repair Work) for a period of six (6) consecutive months.

DTE: The Massachusetts Department of Telecommunications and Energy created by M.G.L. Chapter 25

Effective Date: The date upon which this By-Law becomes effective.

Emergency Repair Work: Right-of-Way Work which must be commenced immediately to correct a hazardous condition in which the safety of the public is in imminent danger, such as a threat to life or health of the public or where immediate correction is required to maintain or restore essential Public Utility service.

Excess Capacity: The volume of capacity in any Existing Facility that is not being used or is not proposed to be used as part of a concrete plan for the future at the time that an Application is made for a Right-of-Way Permit by an Applicant or Co-Locator.

Existing Facility: An Overhead or Underground Facility which is in existence on the date of the Application for a Right-of-Way Permit.

Facility: Any Overhead or Underground Facility or Attachment thereto including without limitation any utility or other pipe, duct, line, pole, wire, cable, transmission line, conduit, pedestal, wave guide, dish, antenna, electronic or other thing located or proposed to be located in, on, above, along, under or across a Right-of-Way.

FCC: Federal Communications Commission.

Grandfathered Facility: An Overhead or Underground Facility in existence on the Effective Date.

Grant of Location: Permission granted by the Awarding Authority of the Town to a Public Utility, in order to conduct its Regulated Activities, to locate poles, piers, abutments or conduits or attachments thereto or railway routes on, in, above, along, under or across a Public Way in accordance with the procedures set out in M.G.L. Chapter 166, section 22, Chapter 161, section 70, Chapter 162, section 8 and with this By-Law.

Grant of Location Applicant: An Applicant or Co-Locator which is a Public Utility conducting a business described in M.G.L. Chapter 166, section 21 of the Massachusetts General Laws.

Highway Superintendent: The Town Public Works Superintendent.

Inspector of Wires: That individual appointed by the Town to fulfill the responsibilities set out in M.G.L. Chapter 166 section 32.

License Agreement: An agreement between the Town and an Applicant owner of a Facility setting forth detailed contractual terms and obligations of the owner of a Facility and entered into incident to the grant of a Right-of-Way Permit.

Licensed Contractor: A contractor who holds a current and valid Public Works Construction License issued by the awarding authority.

Local Exchange Carrier: Every person or entity that directly or indirectly owns, controls, operates and manages plant, equipment or property within the Town

M.G.L.: When the provisions of Massachusetts General Laws cited in this by-law, are amended from time to time, the amendments shall be incorporated into and applied to this by-law.

Measurable Interference: Interference as defined by FCC Regulations (47 C.F.R.) which affects the Telecommunications Services provided by Permit Holder.

Modification: A material physical change to an Existing Facility such that its use or occupancy is materially altered.

New Facility: An Overhead or Underground Facility or an Attachment that has not yet been constructed but that is proposed and described in an Application for a Right-of-Way Permit.

Normal Working Hours: 7:30 A.M. to 3:30 P.M. Monday through Friday excluding holidays.

Occupied Area: The area in square feet to be occupied by an Overhead Facility (including space adjacent to the Facility and rendered practically unusable by others whether because of physical limitations or potential Measurable Interference or otherwise) all as reasonably determined by the Awarding Authority. In case of Pole lines, for the purposes of computing square feet, the width dimension generally shall be determined with reference to the maximum distance that protuberances such as crossarms, guy wires, etc., extend perpendicularly from the center-line of the Poles. Also included in the license for a Pole at no additional rental, is the right to penetrate the surface of the Right-of-Way to the depth reasonably necessary to support the Pole.

Occupied Volume: The volume measured in cubic feet occupied by an Underground Facility (including space adjacent to the Facility rendered practically unusable by others whether because of physical limitations or potential Measurable Interference or otherwise) all as reasonably determined by the Awarding Authority.

Overhead Facility: Any tower, Telecommunications Facility and Pole including Poles and Overhead Wires and Associated Overhead Structures including Attachments located or proposed to be located above the surface of the Right-of-Way including the underground supports and foundations for such facilities.

Overhead License Rental Rate: Shall have the meaning subscribed to it and shall be computed annually as set out in Section VIII A of this By-Law.

Permit Holder: An Applicant or Co-Locator to whom a Right-of-Way Permit has been granted.

Permit Term: The period commencing on the date of filing of an Application and ending upon the earlier to occur of: (i) the expiration of the useful life of the Facility as reasonably determined by the Awarding Authority or (ii) ten (10) years from the date of Application.

Planning Board: The Planning Board of the Town.

Pole or Poles and Overhead Wires and Associated Overhead Structures: poles, towers, supports, wires, conductors, stubs, platforms, crossarms, braces, transformers, insulators, cut-outs, switches, communication circuits, appliance attachments, and appurtenances located above ground, upon, along or across any Public Way or private ways of the Town and used or useful in the transmission of intelligence by electricity or otherwise, or for the transmission of television signals, whether by electricity or otherwise, or for the transmission of electricity for lighting, heating or power, or for the construction or operation of a street railway or an electric railroad; provided that said phrase shall not mean or include any of the following: poles, towers, overhead wires and associated overhead structures used exclusively in the transmission but not the distribution of electricity; poles used exclusively for police and fire alarm boxes or any similar municipal equipment installed under the supervision and to the satisfaction of the engineer of the Town; wires (exclusive of supporting structures) crossing any portion of any underground utility district from which overhead wires have been prohibited, or connecting to buildings on the perimeter of such portion, when such wires originate in an area from which poles and overhead wires and associated overhead structures are not prohibited; overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the same building or to an adjacent building without crossing any public Right-of-Way; radio antennae, their associate equipment and supporting structures used by a utility for furnishing communication services; and service terminals including transformers in pedestals above ground used to distribute electric or communication service in underground systems.

Pole Attachments: An Attachment which is a wire or cable for transmission of intelligence by telegraph, telephone, or television, including cable television, or for the transmission of electricity for light, heat or power or for the transmission of Telecommunications Services and any related device, apparatus, appliance or equipment installed upon any Pole or in any telegraph duct or conduit owned or controlled in whole or in part by one or more Public Utility.

Public Utility: A gas and electric company subject to M.G.L. Chapter 164, telephone and telegraph company subject to M.G.L. Chapter 166, cable TV company subject to M.G.L. Chapter 166A, water and aqueduct company subject to M.G.L. Chapter 165, or street railway subject to M.G.L. Chapter 61, or electric railroad subject to M.G.L. Chapter 162.

Public Utility Use: The use of a Facility by a Public Utility during the Permit Term in conducting its Regulated Activities but not including any non-Public Utility by such Public Utility or any use by a non-regulated affiliate of a Public Utility or any other use by any other person or entity.

Public Way: Any road (including such appurtenances as berms, curbs, drains, sewers, water mains, sidewalks and paved and unpaved shoulders within the paper lay-out) to which the public has access and that the Town is responsible for maintaining.

Public Works Construction License: A license required of all Contractors who are not officers or employees of a Public Utility or of a Town department who wish to Perform Street Opening Work in the Public Ways of the Town.

Regulated Activities (of Public Utilities): The transmission of natural gas and electricity by a gas or electric Company subject to M.G.L. Chapter 164, the transmission of voice or telegraph messages by a telephone and telegraph company subject to M.G.L. Chapter 166, the transmission of video broadcasts by television or cable television (including other activities deemed incidental thereto by federal law) subject to M.G.L. Chapter 166A, the provision of street railway services subject to M.G.L. Chapter 161 or transportation by electric railroad subject to M.G.L. Chapter 162.

Right-of-Way: The surface and space on, along, above and below any real property which is a Public Way or other way in which the Town has an interest in law or equity, whether held in fee or other estate or interest, or as trustee for the public including, but not limited to any public street, boulevard, road, highway, freeway, lane, alley, court, sidewalk, parkway, river, tunnel, viaduct, bridge, park skyway, or skyway bridge.

Right-of-Way Permit: A permit granted by the Awarding Authority to an Applicant for permission to construct, to repair and maintain, and to use Overhead and Underground Facilities that it owns and which are located in the Right-of-Way. Also a Permit granted by the Awarding Authority to a Co-Locator for an Attachment to a New or Existing Facility.

Right-of-Way Work: Any construction, repair, or maintenance of utility or other pipes, ducts, lines, poles, wires, cables, conduits, pedestals, antennas, dishes, electronics or other thing located in, on, above, under or across a Right-of-Way.

Street Opening Work: Any cutting, excavation compacting, construction, repair or other disturbance in or under a Public Way together with restoration of the Public Way in accordance with the Town's Street Opening Rules and Regulations following such disturbance but excluding the location or relocation of utility poles for which a Grant of Location has been obtained pursuant to M.G.L. Chapter 166, section 22.

Telecommunications: The transmission between or among points specified by the user of information of the user's choosing without change in the form or content of the information as sent and received.

Telecommunications Carrier: Every person or entity that directly owns, controls, operates or manages plant, equipment or property within the Town used or to be used for the purpose of offering Telecommunications Service and which is licensed by the FCC and certified by the DTE under M.G.L. Chapter 159 as a Telecommunications common carrier.

Telecommunications Facility: A Facility other than customer premises equipment used by a Telecommunications Carrier by a Telecommunications Service and includes software integral to such equipment (including upgrades), cables, wires, lines, wave guides, electronics, dishes and antennas.

Telecommunications Service: The offering of Telecommunications for a fee directly to the public or to such classes of users to be effectively available directly to the public regardless of the Telecommunications Facilities used.

The Telecommunications Act of 1996: :Public Law 104-104-Feb. 8, 1996 110 Stat. 57.

Town: The Town of Tewksbury.

Transmission Line: Lines and associated structures used for the transmission of electric energy sold, or to be sold, at wholesale in interstate commerce.

Underground Facility: Any pipe, duct, line and conduit and Telecommunications Facility or other thing including Attachments located or proposed to be located under the surface of the ground but excluding the underground foundations or supports for Overhead Facilities.

Underground License Rental Payment: The annual dollar amount to be paid by an Applicant for use of Right-of-Way for an Underground Facility.

Underground License Rental Rate: Shall have the meaning subscribed to it and shall be computed annually as set forth in Paragraph VIII B of this By-Law.

Usable Space: The total usable capacity of any Overhead or Underground Facility located in the Right-of-Way as reasonably determined by the Awarding Authority.

NECESSITY OF A PERMIT

- A. No work in, on, under, along, above or across a Right-of-Way shall commence until the Applicant and any Co-Locator each shall have applied for and obtained from the Awarding Authority a Right-of-Way Permit. Applicants with Grandfathered Facilities and any Co-Locator with Grandfathered Facilities located in the Right-of-Way shall be deemed to have applied for and have been granted a valid Right-of-Way Permit for the Permit Term for such Facilities and to be subject to all of the provisions of the License Agreement substantially in the form attached hereto as Exhibit A.
- B. An Applicant or Co-Locator which wishes to continue to use a Grandfathered Facility after the expiration of the Permit Term each must file an Application and treat such Facility as a New Facility. From and after the Effective Date, Applicant or Co-Locator must also obtain a Right-of-Way Permit for any modification of or new Attachment to a Grandfathered Facility.
- C. Any Applicant or Co-Locator who is using a Grandfathered Facility for any purpose other than a Public Utility Use must notify the Town of such use of each such facility within one hundred and twenty (120) days after the Effective Date wishes to make sure of its Grandfathered Facility which is not a Public Utility Use must, prior to commencing such use, apply for and obtain a Right-of-Way Permit for such non-Public Utility Use.

- D. Traffic lights, fire hydrants, mail boxes and intrusions in the Right-of-Way that are accessory uses to the primary use of the property such as awnings, balconies, over-hanging signs and sidewalk cafes are exempted from this By-Law.
- E. Prior to the Town accepting a private way as a Public Way, such Applicant with a Facility located in, on, under or across the private way and each Co-Locator using such Facility including a Co-Locator Public Utility shall apply for and obtain a Right-of-Way Permit from the Awarding Authority.
- F. A Public Utility that is petitioning for a Grant of Location in accordance with M.G.L. Chapter 166, section 22, Chapter 161, section 70 or Chapter 162 Section 8 as part of its Application for a Right-of-Way shall so indicate on the Application. A Right-of-Way Permit granted to a Public Utility for a Facility to the extent of Public Utility Use shall constitute a Grant of Location as well.
- G. No Right-of-Way Permit shall be granted unless Applicant demonstrates to the reasonable satisfaction of the Awarding Authority that sufficient Existing Capacity remains in Existing Facilities to accommodate an Attachment or that Applicant will construct New Facilities in accordance with the requirements of this By-Law. Except for Transmission Lines, in the event that all of the Usable Space of Existing Overhead Facilities has been used up, the Town may in its reasonable discretion require that the Applicant construct New Underground Facilities.
- H. All construction work contemplated by this By-Law shall be done in a good and workerlike manner using best engineering and construction practices and shall be done in accordance with (i) all applicable laws and regulations, (ii) all of the provisions of this By-Law, (iii) any conditions contained in the Right-of-Way Permit, and (iv) such reasonable supplemental instructions not inconsistent with the foregoing as the Awarding Authority or its authorized representative may from time to time issue. Work that involves Street Opening Work must comply with the Town's Street Opening Rules and Regulations.
- I. No person or entity may perform any work in or under a Right-of-Way unless it is a Permit Holder and (i) is a Town department, Public Utility, Telecommunications Carrier or Local Exchange Carrier or their respective officers or employees or (ii) has engaged a Licensed Contractor and such holder performs all such Right-of-Way Work as agent of Permit Holder.

REQUIREMENTS OF APPLICATION

A. Information Required of All Applicants and Co-Locators

Applicants or Co-Locators seeking a Right-of-Way Permit shall file on forms designated by the Awarding Authority a completed and signed Application at the office of the Awarding Authority which shall include the following information:

- 1. The identity and legal status of the Applicant or Co-Locator including any parent or affiliated corporation.
- 2. The address and telephone number of the corporation and the name of the officer, agent or employee responsible for the accuracy of the Application.
- 3. If a Public Utility (or Town department) the federal identification number of the entity. All others must in addition specify their FCC license number and submit evidence of certification by the DTE.
- 4. A general description of Applicant's Existing Overhead or Underground Facilities within the Town that it is using to provide service and the service that it is currently providing.
- 5. A detailed description of the service that Applicant or Co-Locator intends to offer or provide the service that will constitute a Public Utility Use.
- 6. A detailed description of the Underground or Overhead Facilities Applicant or Co-Locator intends to use or construct, their useful life and full dimensions of the proposed Facility including but not limited to the following: height of Poles, number of wires and their diameter, height of wires above the Right-of-Way, voltage of electric transmission lines, diameter of mains and conduits.
- 7. Maps or plans showing the exact location of the Existing or proposed New Facility in the Right-of-Way using engineering metes and bounds, street names and intersecting street names. Show a north arrow.
- 8. A statement as to whether New Facilities will be built or Existing Facilities will be used and who is the Applicant with respect to such Facility.
- 9. In the case of a Co-Locator seeking a Permit for an Attachment to a Facility the Applicant of which is exempt in whole or part from the obligation to make Annual License Rental Payment for the Facility as provided herein, such Application shall be made jointly by Applicant and Co-Locator. Each must sign the Application and Applicant must acknowledge in a writing in form and substance satisfactory to the Town, its obligation to pay the amount, if any, of Annual License Rental Payment due the Town in respect of such Attachment.
- 10. The names of Co-Locators who share or will share the Facility. Applicants must provide evidence that Co-Locators have received their own Right-of-Way Permit and identify all pending Co-Locator Applications.

11. Evidence that Applicant or Co-Locator has obtained all other governmental approvals and permits needed to use Existing Facilities and to offer or provide services.

B. Petitions for Grants of Location

Applicants or Co-Locators that are Public Utilities and that are seeking a Grant of Location as part of the Right-of-Way Permit shall also provide the following information as part of the application:

1. A statement as to the demonstrated need to construct the New Facility or make an Attachment to an Existing Facility.
2. A list of direct abutters' names and addresses.
3. The kind, size and tested strength of supporting service wires for Poles.
4. The maximum voltage that will be transmitted over wires and the maximum cubic feet of gas that will be transported through mains.
5. The size and pressure of gas mains and what the main is made of.
6. A list of all posts, Poles or other supports of wires included in the Grant of Location.
7. The number of cross arms in use with each Pole and the number of wires that are already attached thereto and the number of wires that are proposed.
8. The location of conduits and manholes in relation to the Existing Underground Facilities and proposed New Underground Facilities.

C. Applications for New Facilities Must Submit Additional Information.

If New Facilities are to be constructed, Applicant must submit the following additional information as part of the Application:

1. Preliminary engineering plans, specifications and a Site Plan of the facilities to be located within the Right-of-Way at a scale of one (1) inch equals forty (40) feet which shall show (i) all property lines, (ii) the exact location of the proposed New Facilities, and (iii) Existing Facilities, streets, landscape features, residential dwellings, and all buildings located within five hundred (500') feet of the New Facility prepared by a Registered Professional Engineer or other qualified professional.
2. A network map and an electronic copy showing the location and route of the New Facilities superimposed on the Public Ways of the Town on a scale of one inch equals one hundred (100') feet prepared by a Registered Professional Engineer or other qualified professional.
3. The location of all Existing Facilities located along the proposed route.
4. The specific trees, structures, improvements, facilities and obstructions, if any that Applicant proposes to temporarily or permanently remove or relocate.
5. Evidence as to what, if any, Excess Capacity is available for Attachments to Existing Facilities located along the proposed route with a specification of how much Excess Capacity will exist after the installation of the New Facility. If co-location is not proposed, an affidavit attesting to the fact that Applicant made diligent but unsuccessful efforts to obtain permission to install or co-locate New Facilities on Existing Facilities, the reason for denial of co-location and whether an appeal to the DTE has been adjudicated.
6. If New Facilities are to be constructed, the Excess Capacity that will exist in or on them after their installation and use by the Applicant and any identified Co-Locator.
7. The useful life of the Proposed Facility or Attachment.
8. Information as to the type and frequency of any Telecommunications Equipment that will be installed.
9. A preliminary construction schedule and completion date.
10. Financial statements prepared in accordance with generally accepted accounting principles demonstrating an Applicant's financial ability to construct, operate, maintain, relocate and remove the proposed Facilities.
11. Information in sufficient detail to establish Applicant's technical qualifications, experience and expertise regarding the Facilities to be constructed and operated.
12. Evidence that Applicant has obtained all over governmental approvals and permits needed to construct the New Facilities.
13. The name of the Licensed Contractor who will perform the construction work or a copy of the Public Works Construction License that Applicant has obtained from the Town.
14. An Application Fee.

15. A Certificate of Insurance in coverage as specified in Section VI, Paragraph J of this By-Law.
16. Such other and further information as may be reasonably required by the Awarding Authority.

APPLICATION PROCEDURE

- A. Upon receipt of a completed and signed Application, it will be forwarded to the Public Works Superintendent, Planning Board and Inspector of Wires for review. The Public Works Superintendent, Planning Board and Inspector of Wires shall promptly review the Application and make written recommendations concerning permit conditions and supplemental instructions.
- B. If the Application involves the construction of New Facilities, the modification of Existing Facilities or a program of Attachments the total construction cost of any of the foregoing is estimated to exceed one million (\$1,000,000.00) dollars, the Town may require the Applicant to enter into an agreement with the Town to reimburse the Town for the reasonable cost of engineering review by the Town's consultant of the plans submitted. Applicants shall submit a deposit to secure the cost of this review which will be held in a segregated account in accordance with M.G.L. Chapter 44g, section 53G.
- C. If the Right-of-Way Application includes a Petition of the Applicant for a Grant of Location, the Awarding Authority shall promptly schedule a public hearing, and, if required by statute, publish a notice of the hearing. Owners of property abutting the property on which the New Facility is proposed will be notified by the Town at least fourteen days prior to the public hearing.
- D. The Awarding Authority shall review the Application, any evidence presented at a Grant of Location public hearing, and the recommendations received from the Public Works Superintendent, Planning Board and Inspector of Wires and make a prompt determination on the Application taking into account the recommendations received, testimony and evidence presented if any, and such other facts as it may reasonable consider such as:
 1. The likelihood that the New Facility will incommode the public use of public ways or endanger or interrupt navigation.
 2. The financial and technical ability of the Applicant or Co-Locator to construct New Facilities or to use the Right-of-Way.
 3. The capacity of the Right-of-Way to accommodate the proposed New Facilities, modifications or attachments.
 4. The capacity of the Right-of-Way to accommodate additional New Facilities if the Permit is granted.
 5. Potential damage or disruption (including Measurable Interference with Telecommunications Services) to Existing Facilities, or public property if the Permit is granted.
 6. The effect, if any on public health, safety and welfare if the Permit is granted.
 7. The availability of alternate routes and/or locations for the proposed New Facilities.
 8. Applicable federal and state laws and Town By-Laws which might prohibit or affect the Permit if granted.
- E. If the Application is considered favorably, a Right-of-Way permit containing such conditions and supplemental instructions as the Awarding Authority reasonably deems appropriate shall promptly issue upon the satisfaction of any conditions precedent which the Awarding Authority may establish. If the Application is not favorably considered, the Awarding Authority shall communicate in writing to Applicant or Co-Locator the reasons its Application was not favorably considered.
- F. If a grant of Location has been requested as part of the Application for a Right-of-Way Permit and the Application has been considered favorably, the Right-of-Way Permit shall also constitute an Order Granting the Location. The Grant of Location will specify where the New Facility or Attachment may be placed, and (with the exception of Grants of Location for Transmission Lines) the kind of Poles, piers or abutments which may be used, the number of wires or cables which may be attached thereto, the height to which the wires or cables may run and the maximum voltage between conductors to be carried through same. Grants of Locations for Poles are limited to one Pole per Location. The Grant of Location may contain such other conditions and supplemental instructions as the Awarding Authority reasonably deems appropriate.

TERMS OF THE RIGHT-OF-WAY PERMIT

A. Conditions of Permit

All Right-of-Way Permits granted are conditioned upon i) the Applicant having obtained and submitted to the Awarding Authority; prior to construction and installation of its New Facilities, a Bond as required in sub-section (K)(2) hereafter, ii) Permit Holder's Agreement to make any Excess Capacity of its Facility available to other Applicant's on commercially practical and technically feasible terms, iii) to the extent feasible and subject to reasonable availability and agreement between a Telecommunications Carrier and the Town concerning price, maintenance, access and security, interconnection of the New Telecommunications Facility with public buildings and iv) the execution and delivery of a Town Right-of-Way License Agreement substantially in the form of Exhibit A attached hereto and otherwise in form and substance satisfactory to the Awarding Authority.

B. Permit Term

Rights-of-Way Permits shall be valid for the period commencing on the date of filing of an Application and ending upon the earlier to occur of: (i) the expiration of the useful life of the Facility as reasonably determined by the Awarding Authority or (ii) ten (10) years from the date of the Application. A Permit Holder desiring to continue to use the Facility after the expiration of the Permit Term shall not more than one hundred **eighty** (180) days nor less than ninety (90) days before expiration of the current Permit file an Application with the Town for a Permit as though the Existing Facility were a proposed New Facility. Each Co-Locator must also file for a new Permit.

C. Revocation of Permits

Except to the extent that a Right-of-Way Permit also constitutes a statutory Grant of Location and current law limits the ability of the Awarding Authority to revoke a Grant of Location, the Awarding Authority during the Permit Term may revoke a Right-of-Way Permit granted hereunder after notice and hearing if it shall reasonably determine that (i) Permit Holder is in Default, (ii) Permit Holder fails to construct the Facilities for which a Permit was granted within six (6) months of the granting of the Permit, (iii) Permit Holder has failed relocate its Facility or Attachment to a new location within the designated time following an order from the Awarding Authority to relocate such Facility or Attachment, or (iv) if the Awarding Authority determines that public necessity and convenience requires the revocation of a Grant of Location held by a street railway. The Permit holder shall be given not less than ten (10) days prior written notice of the time and place of the hearing on revocation and shall have the opportunity at the public hearing to present evidence.

D. Removal of Facilities

Following the revocation of the Permit or the expiration of the Permit Term without an application to continue to use the Facility unless then existing statutes shall require a different result and, if ordered by the Town, Permit Holder shall cease using the Right-of-Way. Permit Holder shall remove all of its Overhead and Underground Facilities from the Right-of-Way and restore the area to its original condition within six (6) months following expiration of revocation of the Permit. In the event that the Permit Holder fails to remove its Facilities, the Awarding Authority may treat such as abandoned property and, among other remedies, remove the Facilities and restore the area at the owner's sole cost and expense.

E. Removal of Unauthorized Facilities.

1. With the exception of Permits held by Town departments and permits held by Public Utilities, within thirty (30) days following written notice from the Town, any person or entity that owns, controls or maintains any Overhead or Underground Facilities located in the Right-of-Way for which a Permit has not been obtained and which is not a Grandfathered Facility shall apply for a Permit and may request a hearing before the Awarding Authority and shall have the opportunity at the hearing to present evidence. If the Application for a Permit is denied, Applicant shall, at its own expense, remove such Facilities from the Right-of-Way and restore the area to its original condition within six (6) months of the date of the denial of the Permit.
2. In the event that the Applicant fails to remove its Facilities, the Awarding Authority may treat such as abandoned property and, among other remedies, remove the Facility and restore the area at the owner's sole cost and expense.

F. Relocation of Facilities Due to Public Necessity.

1. The location of any Overhead or Underground Facility covered by a Right-of-Way Permit may be changed by order of the Awarding Authority if it determines in its reasonable discretion that public necessity requires relocation of the Facility. Except for Emergency Repair Work, Applicant is required to notify all Co-Locators in writing upon receiving an order to relocate the Facility from the Awarding Authority. Applicant and all Co-Locators shall, at their own expense, relocate their Facilities to such locations as shall have been approved by the Awarding Authority within ninety (90) days of the receipt of the order of the Awarding Authority. Upon relocation Applicant shall promptly supply Awarding Authority with "as built" plans of the relocated Facility. Following the transfer of the Facility and any Attachments from the Existing Facility to the New Facility, the Existing Facility shall be removed from the site within ninety (90) days from the date of completion of the transfer.
2. Unless directly and proximately caused by the willful, intentional or malicious acts by the Town, the Town shall not be liable for any damage to or loss of any Overhead or Underground Facilities located in the Right-of-Way as a result of or in connection with any public works, public improvements, construction, excavation, grading, filling or work of any kind in the Right-of-Way on behalf of the Town. Rights-of-Way Permits and Grant of Location for Facilities that have been order to be relocated will be amended to reflect the new location once the Facilities have been relocated.

G. Assignment of Facilities

Except in connection with a transaction to which M.G.L. Chapter 166, section 15B applies, a Right-of-Way Permit is not assignable. If a Permit Holder transfers ownership or use of its Facilities to another entity, such entity must apply for and receive its own Permit in accordance with this By-Law.

H. Non-exclusive Grant

No Permit granted under this By-Law shall confer an exclusive right, privilege, license or franchise to occupy or use the Right-of-Way of the Town for delivery of services or any other purposes. No Permit granted under this By-Law shall convey any right, title or interest in the Right-of-Way but shall be deemed a license to use and occupy the Right-of-Way in accordance with the terms of this By-Law and the Town Right-of-Way License Agreement. Further, no Permit shall be construed as a warranty of title. A Permit granted shall be limited to a license to use only that specific portion of a Right-of-Way as specified in the Plan that accompanies the Application and in any Permit or License Agreement.

I. Co-Location of Facilities

Issuance of a Right-of-Way Permit is conditioned upon the agreement of the Applicant to make Excess Capacity available to other Co-Locators on commercially practical and technically feasible terms. All New Facilities for which a Right-of-Way Permit has been issued shall be constructed, installed and located in accordance with the following terms and conditions:

1. Attachment shall be installed within Existing Underground or Overhead Facilities whenever Excess Capacity exists within such Facility.
2. Whenever Existing Facilities have been required by the Town to be located Underground within a Right-of-Way, no Permit will be granted for an Overhead Facility.
3. Whenever any Existing Facility is required by the Town for reasons of public necessity to be relocated, each Applicant owner shall relocate its Facilities within a reasonable period of time and all Co-Locators who share the facility shall, absent extraordinary circumstances or undue hardship as determined by the Awarding Authority, also relocate their Attachments concurrently to minimize the disruption of the Right-of-Way.
4. Whenever New Underground Facilities must be constructed because the Excess Capacity of Existing Facilities has been exhausted, Applicant shall anticipate its needs for at least thirty (30) years and is encouraged to construct New Underground Facilities sufficient to meet its needs for this time period as well as provide Excess Capacity to Co-Locators on commercially practical and technically feasible terms.
5. The Town reserves the right to place, free of charge, signal circuits, signal supply circuits and the equipment attached to these circuits belonging to the Town and used by it exclusively for municipal purposes on or in all Existing Facilities with Excess Capacity and on or in New Facilities then owned or controlled by an Applicant which is a Public Utility and shall be allowed access whenever necessary to place, maintain or remove its wires and cables.

J. Insurance

1. The Permit Holder shall acquire and continuously maintain while it possesses a Right-of-Way Permit liability insurance coverage on all personnel and equipment used to construct, operate, maintain and repair the Overhead and Underground Facilities located within the Right of Way. This insurance must be with insurance companies licensed to do business in the Commonwealth of Massachusetts and shall contain the following coverages and be in the following minimum amounts:
2. Commercial General Liability Insurance – including operation, independent contractors, complete operations for a period of one year, from completing the street opening work, XCU Hazards, broad form property damage and personal injury.

General Aggregate: \$2,000,000.00

Products and complete operations

Aggregate \$2,000,000.00

Each occurrence \$1,000,000.00

Combined single limit \$1,000,000.00

Automobile Liability Insurance (covers owned, non-owned and hire vehicles)

Bodily Injury Liability \$ 500,000.00 each person

\$1,000,000.00 each accident

Property Damage Liability \$ 250,000.00 each accident

Combined Single Limit \$1,000,000.00

Worker's Compensation and Employers Liability

Each Accident \$ 100,000.00

Disease-Policy Limit \$ 100,000.00

Disease-each Employee \$ 100,000.00

3. Certificate of Insurance shall provide for at least thirty (30) days notice to the Awarding Authority or cancellations or material change. The name of the municipality shall be listed as an additional insured on the Certificate of Insurance.

K. Construction Requirements

1. All Permit Holders are required to obtain a Building and Electrical Permit (if applicable), and (except for Poles and Attachments thereto) a Street Opening Permit from the Awarding Authority. Once commenced, construction shall proceed at an uninterrupted and consistent pace so that the Right-of-Way Work described in the Permit will be completed within a reasonable time.
2. Before commencing construction, Permit Holder shall submit to the Awarding Authority a Performance Bond, with corporate surety satisfactory to the Awarding Authority, in an amount equal to the value of the construction which shall assure:
 - a. the satisfactory completion of installation and commencement of operation of the system in accordance with the terms of the Permit,
 - b. the indemnity of the Town from and against any and all claims for injury or damage to persons or property, both real and personal, caused by the construction, and installation of the Facilities authorized pursuant to the Permit,
 - c. the satisfactory restoration of adjoining property and public property in accordance with the provisions of this By-Law. This bond shall be maintained in force until one year after the completion of the construction work.
3. Construction of New Facilities must conform to the plan accompanying the Application and to the terms of the Permit and License Agreement. All Right-of-Way work must conform to the Americans with Disabilities Act and the Architectural Access Board Regulations as currently in effect.
4. Right-of-Way Work shall comply with the following:
 - a. Working Hours. Except for Emergency Repair Work, Right-of-Way Work shall occur during Normal Working Hours. Permit Holder must give notice of the intended Right-of-Way Work seventy two (72) hours in advance to the Public Works Superintendent.
 - b. Obligation to Locate Existing Facilities. Permit Holder and Contractor must inform itself to the existence and location of all Existing Facilities located in the same general area as the New Facilities are to be located must confer with the owners thereof in order to obtain information as to the vertical and horizontal locations of the Facilities and other conditions that might effect the Right-of-Way Work.
 - c. Non-Interference with Existing Facilities. Permit Holder and Contractor shall not interfere with an Existing Facility without the written consent of the Awarding Authority and the owner of the Existing Facility. If it becomes necessary to relocate an Existing Facility to accommodate the New Facility, this shall be done by its Owner and the cost of such work shall be borne by the Permit Holder.
 - d. Dig Safe. Permit Holder shall, in accordance with M.G.L. Chapter 164, section 76D, notify all Public Utilities in advance of making any excavation in a Public Way. Such notification shall be made by a means of obtaining a DIG-SAFE number. Said number shall be provided on the Street Opening Application.
 - e. Protection of Existing Facilities. Permit Holder or Contractor shall adequately support and protect by timbers, sheeting, etc. all Existing Overhead or Underground Facilities which may be in any way effected by the Right-of-Way Work and shall do everything necessary to support sustain and protect them under, over, along or across such work area. Excavation work shall be perform and conducted in such manner that it shall not interfere with access to fire stations, fire hydrants, water gates, underground vaults, catch basins or any other public structure.
 - f. Adjoining Property. Permit Holder or Contractor shall, at all times at its own expense, preserve and protect from injury any adjoining property and shall take such precautions as may be necessary for this purpose. Permit Holder shall be responsible for all damages to public or private property or streets resulting from its failure to properly protect and carry out the Right-of-Way Work.
 - g. Trees. Permit Holder or Contractor shall not remove, even temporarily, any trees or shrubs which exist in the Right-of-Way area without first obtaining the consent of the Town. In the event a tree is either accidentally destroyed by the Permit Holder or Contractor or is authorized for removal by the Town, Permit Holder or Contractor shall remove the tree, stump and debris from the work site and replace the tree with an identical species with a minimum caliper of two (2) inches and a minimum of four (4) feet in height in the identical location.
 - h. Excavated Material. Permit Holder or Contractor shall remove all excess excavated material, surplus water, muck, silt, residue or other run-off pump or remove from excavations from the Right-of-Way Work site.
 - i. Temporary Repairs of Underground Facilities. At the end of each day, all trenches must be plated if repair is not completed. No unplated trenches are permitted overnight and work in plated trenches must be continually prosecuted to completion to minimize the time trenches are plated.

- j. Noise. Permit Holder or Contractor shall perform the Right-of-Way Work in such a manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. Excluding emergency repairs, during the hours from 4:30 P.M. to 7:30 A.M. Permit Holder or Contractor shall not use, unless otherwise specifically permitted by the Awarding Authority any tool, appliance or equipment producing noise of sufficient volume to disturb the sleep or repose of occupants of the neighboring property.
- k. Debris and Litter. All debris and litter remaining from the Right-of-Way Work site shall be removed by the Permit Holder or Contractor **immediately**.
- l. Lawn Surfaces and Plantings. All lawn surfaces which are disturbed during Right-of-Way Work shall be replaced with sod or six (6) inches of screened loam, lime, fertilized and re-seeded with good quality lawn seed.
- m. Erosion Control. Permit Holder shall be responsible for all erosion control and for obtaining any necessary permits from the Town. Permit Holder or Contractor shall protect drainage structures from siltation by whatever means required including but not limited to the installation of hay bales and/or filter fabric. In the event that a drainage structure becomes damaged from siltation as a result of the Right-of-Way Work, Permit Holder or Contractor shall clean the structure before completing the Right-of-Way Work.
- n. As Built Plans. Within thirty (30) days following completion of construction of New Facilities, Permit Holder shall file with the Awarding Authority complete As-Built Plans of the New Facilities as determined by the Highway Superintendent including an accurate map certifying the location of all Facilities within the Right-of-Way prepared by a Registered Professional Engineer or other qualified professional.
- o. Tree Trimming. Permit Holders who own and maintain Overhead Facilities are responsible for trimming trees or other vegetation growing in the Right-of-Way to prevent their branches or leaves from touching or otherwise interfering with the Overhead Facility. All trimming or pruning shall be at the sole expense of the Permit Holder and performed under the supervision of the Town.

L. Emergency Repair Work

When notified by the Town, Permit Holder is required to respond to calls for Emergency Repair Work within two (2) hours of the notice and to commence repairs immediately upon arrival at the site.

Failure to respond within two (2) hours a fine of \$50.00 will be issued;

Failure to respond within three (3) hours a fine of \$75.00 will be issued;

Failure to respond after 4 hrs, \$100 fine per day until removed;

payable to the Town of Tewksbury at the Office of the Board of Selectmen within 21 days.

A vote of the Board of Selectmen is necessary to void the violation fine.

M. Maintenance

Permit Holder shall at all times employ ordinary and reasonable care and shall install and maintain in use nothing less than commonly accepted methods and devices for preventing failures of Overhead or Underground Facilities and accidents which are likely to cause damage, injuries or nuisances to the public. Owners of Poles shall, upon the receipt of written notice served by the Inspector of Wires, promptly make such substitution or repairs of such Poles, wires, posts, supports or attachments as may be required by the Inspector of Wires.

Rental Payments

Each Applicant holding a Right-of-Way Permit for a Facility, except to the extent as provided in paragraph (C) hereafter, shall make an annual License Rental Payment to **the Office of the Board of Selectmen** for the non-exclusive right to use certain Rights-of-Way in the Town.

Annual License Rental Payments shall be computed as set out in paragraphs (a) and (b) hereafter.

A. Overhead License Rental Payments

- 1. The Overhead License Rental Payment for each Overhead Facility shall be computed by multiplying the Occupied Area of the Facility by the applicable Overhead License Rental Rate.
- 2. The Occupied Area of An Overhead Facility shall be determined in the reasonable discretion of the Awarding Authority.
- 3. The Overhead License Rental Rate shall be determined annually by the Awarding Authority within sixty (60) days of the commencement of each fiscal year utilizing assessment data for the fiscal year just ended. The Rate for the fiscal year in which an Application is filed (or the year of the Effective Date in the case of Grandfathered Facilities) shall be the applicable Rate for the entire Permit Term.

4. An annual Overhead License Rate shall be calculated by:
 - a. determining the assessed value of all taxable land in Town subject to tax in that fiscal year
 - b. dividing the amount obtained in (a) by the total number of acres of land in Town subject to tax in that fiscal year and by expressing this quotient on a dollar per square foot basis (this represents a reasonable method to derive the value of the Town's investment in its Rights-of-Way and a reasonable return on such investment) and
 - c. determining in the reasonable judgment of the Awarding Authority the Town's combination of these two items shall be expressed as an amortization constant. (This constant represents the Town's reasonable judgment of the term over which the Town should recover in its investment in its Rights-of-Way and a reasonable return on such investment) and
 - d. multiplying the quotient obtained in (b) above by the constant determined in (c) and by expressing this product in dollars per square foot.

B. Underground License Rental Payment

1. The Underground License Rental Payment for each Underground facility shall be computed by multiplying the Occupied Volume of the Facility by the applicable Underground License Rental Rate.
2. The Occupied Volume of an Underground Facility shall be determined in the reasonable discretion of the Awarding Authority.
3. The Underground License Rental Rate shall be determined annually by the Awarding Authority within sixty (60) days of the commencement of each fiscal year utilizing assessment data for the fiscal year just ended. The Rate for the fiscal year in which an Application is filed (or the year of the Effective Date in the case of Grandfathered Facilities shall be the applicable Rate for the entire Permit Term.
4. An Annual Underground License Rental Rate shall be calculated by dividing the product obtained from the calculation described in Paragraph A (4) (d) above by the usable depth of the Rights-of-Way in the Town of Tewksbury as reasonably determined by the Awarding Authority and expressing the quotient so obtained in dollars per cubic foot.

C. Exemption from Payments

Applicants utilizing Facilities (which includes use by Co-Locators) on the terms described below shall be exempt from the payment of Underground or Overhead Rental Payments during the period described as follows:

1. Applicants which are Town departments to the extent that such Facilities are used only for municipal purposes are exempt from the payment of Rental Payments hereunder.
2. Applicants with Grandfathered Facilities shall be exempt from the payment of Rental Payments to the extent of the type and extent of the uses being made of such Grandfathered Facilities as of the Effective Date and during the period commencing on the Effective Date and ending on the expiration or earlier termination of the Permit Term.
3. Applicants with Grandfathered Facilities which after the Effective Date propose to make uses of them, or allow Co-Locators to make uses of them which are not Public Utility Uses, shall have the exemption described in sub-paragraph (2) above reduced pro-tanto as reasonably determined by the Awarding Authority and shall forthwith begin paying a pro-tanto portion of the annual Rental Payment for the use of the Facility no longer subject to exemption. The Rental Payment shall be calculated as described above and the calculation shall utilize the fiscal year in which the Application for non-exemption is made. The pro-tanto non-exempt portion of the annual Rental Payment shall be reasonably determined by the Awarding Authority by comparing the portion of the Occupied Area or Occupied Volume subject to non-exempt use to the total Occupied Area or Occupied Volume of the Facility. Evidence of well-established uniform practices evidenced by written policies or procedures of Applicants in establishing Pole Attachment fees for other similar charges to Co-Locators or in allocating costs among affiliates shall be considered as prima facie evidence in determining reasonable allocation by the Awarding Authority.
4. Applicants with New and Existing Facilities which after the Effective Date propose to make Public Utility Use or allow Co-Locators to make Public Utility Use of a Facility shall be pro-tanto exempt during the Permit Term from the payment of the appropriate annual Rental Payment otherwise payable with respect to such Facility to the extent of its Public Utility Use as set out in sub-paragraph (3) above.
5. The routine replacement of a portion of a Facility or a minor adjustment of the location of part of a Facility (such as the replacement or relocation of a Pole or replacement of wires or cables) in situations where the use and capacity remain unchanged in some circumstances may require an Application or Co-Locator to file an Application for a Right-of-Way Permit but in such situations the exempt status of the Facility shall not be affected.
6. All exemptions except those for Town departments shall end upon the end of the initial Permit Term, but in no event later than thirty (30) years from the Effective Date unless the applicable law shall require a continuation of the exemption.

APPEALS

A person or entity aggrieved by a decision of the Awarding Authority under this By-Law may appeal such decision to the appropriate court of competent jurisdiction or, to the extent applicable law provides, to the DTE or the FCC.

SEVERABILITY

If any clause, section, or other part of this By-Law shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this By-Law shall not be affected thereby but shall remain in full force and effect.

Or take any other action relative thereto.

Town Manager

Motion: Town Manager, David Cressman, motioned to Amend and Adopt Article 37.
Mr. David Silva motioned to Amend.

Moderator, James Coakley, informed the Assembly that he no longer works in the telecommunication industry, as he recently retired, and there is no conflict, therefore he need not step down from Moderating this article.

The Moderator accepted a three (3) scrivener's errors.

SCRIVENER'S ERROR:

In the **PREAMBLE**, change "prudential" to "prudent".

Under DEFINITIONS, Pole of Poles and Overhead Wires and Associated Overhead Structures:
Change "of" to "or".

Under Terms of Right Away Permit, B. Permit Term, line 5 in the Warrant,
change "eight" to "eighty".

A motion was made to Move the Question and this motion was Adopted.

9:10 PM 5/8/02

Voted: The Town Manager's Amendments were Adopted.
Mr. Silva's Amendment was Adopted.
Article 37 was Adopted, as Amended.

9:14 PM 5/7/02

TOWN MANAGER, DAVID CRESSMAN'S AMENDMENTS:

Page 32 in the Warrant:

DEFINITIONS Add after Local Exchange Carrier, etc., a new definition:

M.G.L.: When the provisions of Massachusetts General Laws cited in this by-law, are amended from time to time, the amendments shall be incorporated into and applied to this by-law.

Town Manager's Amendment was Adopted.

9:10 PM 5/8/02

Page 47 in the Warrant.

k. Debris and Litter,

Change "in a timely manner" to "immediately".

Town Manager's Amendment was Adopted.

9:11 PM 5/8/02

Page 48 in the Warrant.

L. Emergency Repair Work

Add after the word site:

Failure to respond within two (2) hours a fine of \$50.00 will be issued;

Failure to respond within three (3) hours a fine of \$75.00 will be issued;

Failure to respond within four (4) or more hours a fine of \$100.00 will be issued;

payable to the Town of Tewksbury at the Office of the Board of Selectmen within 21 days.

A vote of the Board of Selectmen is necessary to void the violation fine.

Town Manager's Amendment was Adopted.

9:12 PM 5/8/02

Page 48 in the Warrant:

Rental Payments

In the 3rd line, change the words; the Town

to: the Office of the Board of Selectmen.

Town Manager's Amendment was Adopted.

9:14 PM 5/8/02

MR. SILVA'S AMENDMENT:

Page 48 in the Warrant.

L. Emergency Repair Work.

Insert: after 4 hrs, \$100 fine per day until removed.

Mr. Silva's Amendment was Adopted.

9:14 PM 5/8/02

**ALL THE VOTED AMENDMENTS HAVE BEEN INCORPORATED INTO ARTICLE 37
AND ARE DESIGNATED IN BOLD PRINT.**

Executive Summary: The purpose of the Right-of-Way By-Law is to establish controls on non-regulated and non-public utility telecommunications companies that wish to use the Town's right-of-way so that the companies utilize the Town's right-of-ways in an appropriate manner and the Town is adequately compensated for allowing this type of use.

ARTICLE 38

To see if the Town will vote to amend section 8. Non-Conforming Uses of the ZBL, paragraph 8.3 by making the following changes:

8.3 Pre-Existing Nonconforming Single and Two Family Residential Structures. Pre-Existing nonconforming single and two family residential structures may be reconstructed, extended, altered, or structurally changed upon the issuance of a building permit after a determination by the Building Commissioner that such proposed reconstruction, extension, alteration, or change does not increase the nonconforming nature of said structure. The following circumstances shall not be deemed to increase the nonconforming nature of said structure: The following five (5) conditions shall not be deemed to increase the nonconforming nature of said structure and shall be used in the Building Commissioner's determination:

8.31. Any reconstruction, extension, or alteration or change to a structure which complies with all current setback, yard, building coverage, and building height requirements but is located on a lot with insufficient area, where the reconstruction, extension or alteration will also comply with all of said current requirements.

8.32. Any reconstruction, extension, or alteration or change to a structure which complies with all current setback, yard, building coverage, and building height requirements but is located on a lot with insufficient frontage, where the reconstruction, extension or alteration will also comply with all of said current requirements.

8.33. Any reconstruction, extension, or alteration or change to a structure which encroaches upon one or more required yard or setback areas, where the reconstruction, extension or alteration will comply with all current setback, yard, building coverage and building height requirements; the provisions of this subsection shall apply regardless of whether the lot complies with current area and frontage requirements.

8.34. Any reconstruction, extension, or alteration, or change to the side or face of a structure which encroaches upon a required yard or setback area, where the extension or alteration will not encroach upon such area to a distance greater than the existing structure; the provisions of this subsection shall apply regardless of whether the lot complies with current area and frontage requirements. The setbacks for this provision shall not be less than 25ft. front and 10ft. side and rear.

8.35. Any reconstruction, extension, or alteration, or change to a nonconforming structure which will not increase the footprint of the existing structure provided that existing height restrictions shall not be exceeded. The setbacks for this provision shall not be less than 25ft. front and 10ft. side and rear.

In the event that the Building Commissioner determines that the nonconforming nature of such structure would be increased by the proposed reconstruction, extension, alteration, or change, the Board of Appeals may, by special permit, allow such reconstruction, extension, alteration, or change where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

Building Commissioner

Motion: The Planning Board motioned to Withdraw Article 38.

Voted: Article 38 was Withdrawn.

10:12 PM 5/8/02

Executive Summary: The proposed changes were recommended by the Attorney General during a review of the last by-law change in order to clarify the five conditions that were to be used in the Building Commissioner's determination and insert the words "reconstruction" and "or change" to be more consistent with the statute.

ARTICLE 39

To see if the Town will vote to amend the Tewksbury Zoning By-Laws, SECTION 2. DEFINITIONS by adding the following definitions:

COMMERCIAL VEHICLE, LIGHT: Any vehicle under 10,000-lbs. gross vehicle weight, which is used in construction or other commercial enterprise. This does not include other equipment used for landscaping and/or construction and also cube vans, stepvans and busses.

COMMERCIAL VEHICLE, HEAVY: Any vehicle over 10,000-lbs. gross vehicle weight, which is used in construction or other commercial enterprise. This includes, but not limited to, other equipment used for landscaping and/or construction and also cube vans, stepvans and busses.

STEEL FABRICATION: The fabrication of steel components typically used in the construction of buildings, bridges or other structures. This includes stairs, railings, miscellaneous metal and other structural components.

TRUCKING COMPANIES: A commercial or industrial enterprise using heavy commercial vehicles to deliver goods, freight or construction materials such as sand, gravel, loam and the like.

AND to make the following changes to the Use Chart, Section 4.6.D Retail Business, to add the following :

| | R40 | R80 | FA | LB | COM | TR | P | INS | MN | MFD | MFD/55 | CDD | HI |
|--|-----|-----|----|----|-----|----|----|-----|----|-----|--------|-----|----|
| SPSP14 Garaging or parking of one light commercial vehicle. | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| SPSP15 Garaging or parking of two light commercial vehicles | SP | SP | SP | Y | Y | SP | Y | Y | Y | SP | SP | SP | Y |
| SPSP16 Garaging or parking of three or more light commercial vehicles | N | N | SP | Y | SP | SP | SP | Y | Y | SP | SP | SP | Y |
| SPSP17 Garaging or parking of one heavy commercial vehicle | N | N | SP | SP | Y | SP | SP | N | Y | SP | SP | SP | Y |
| SPSP18 Garaging or parking of two or more heavy commercial vehicles | N | N | N | N | SP | N | N | N | Y | N | N | N | Y |

And to Add to Section 4.6.H USES EXPRESSLY PROHIBITED IN ALL DISTRICTS:

| | | | | | | | | | | | | | |
|------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SPSP 19 Steel Fabrication | N | N | N | N | N | N | N | N | N | N | N | N | N |
|------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|

Or take any action relative thereto.

Building Commissioner

Motion: The Planning Board motioned to Withdraw Article 39.

Voted: Article 39 was Withdrawn.

9:34 PM 5/8/02

Executive Summary: Presently, commercial vehicles are prohibited in residential districts. This article will allow certain small vehicles to be parked within residential districts. Additional definitions such as "trucking companies" and "steel fabrication" will also make the future enforcement easier.

ARTICLE 40

To see if the Town will vote to amend the Tewksbury Zoning By-Law, Section 16. Flood Plain District, by making the following changes:

DELETE:

SECTION 16. FLOOD PLAIN DISTRICT

16.1

The following Sections shall be applicable in all districts of the Town which are classified as being within Zone A, A1-30 on the Federal Insurance Administration Flood Insurance Rate Maps (FIRM), effective July 2, 1981, which map(s), as amended from time-to-time, shall be kept on file with the Town Clerk, the Planning Board, the Building Inspector and the Town Engineer.

16.2 DEVELOPMENT REGULATIONS APPLICABLE TO THE FLOOD PLAIN DISTRICT

- (a) Within Zones, A, A1 to and including A30, all new construction and substantial improvements, (the cost of which equals or exceeds fifty (50%) percent of the market value of the structure) of residential and non-residential structures shall have the lowest floor, including basement or cellar, elevated to or above the base flood elevation, the 100-year flood elevation designated on the FIRM, or in the case of non-residential structures be flood proofed watertight to the base flood level.
- (b) Within Zone A, where the base flood elevation is not provided on the FIRM, the applicant shall provide any already existing, reasonable base flood elevation data and it shall be used to meet the requirements of the above paragraph 16.2.a.
- (c) Where watertight flood proofing of a structure is permitted, a registered engineer or architect shall certify to the Building Commissioner that the methods used are adequate to withstand the flood depths, pressures and velocities, impact and uplift forces and other factors associated with the 100-year flood.
- (d) In the flood way, designated on the Flood Boundary and Flood Way Map, the following provisions shall apply:
 - (1) Prohibit encroachment, including fill, new construction, substantial improvements and other development unless certification by a registered professional engineer or architect is provided by the applicant demonstrating that encroachments shall not result in any increase of flood levels during the occurrence of the 100-year flood.
 - (2) If paragraph 16.2.d.1 above is satisfied, all new construction and substantial improvements shall comply with all provisions of Section 16.2.

16.3 ADMINISTRATIVE PROCEDURES

- (a) All subdivision proposals and other proposed new development shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If any part of a subdivision proposal or other new development is located within the Flood Plain District, established under the Zoning By-Law, it shall be reviewed to assure compliance with the following:
 - (1) The proposal is designed consistent with the need to minimize flood damage.
 - (2) All public utilities and facilities, such as sewer, gas, electrical and water systems shall be located and constructed to minimize or eliminate flood damage.
 - (3) Adequate drainage systems shall be provided to reduce exposure to flood hazards, and
 - (4) Base flood elevation (the level of the 100-year flood) data shall be provided for proposals greater than 50 lots or 5 acres, whichever is the lesser, for the portion within the Flood Plain District.
- (b) The Board of Health or the Board of Public Works in reviewing all proposed water and sewer facilities to be located in the Flood Plain District established under the Zoning By-Law shall require:
 - (1) New and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems, and
 - (2) New and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- (c) In order to insure the proper administration of the Flood Plain District established under the Zoning By-Law, the Building Commissioner shall:
 - (1) Review proposed development to assure that all necessary permits have been or are in the process of being obtained from those governmental agencies from which approval is required by federal or state law.
 - (2) Obtain and maintain records of: the elevation to which any structure has been flood proofed; the floodproofing certificates required under the Flood Plain District; and whether or not the structure has a basement.

INSERT:

SECTION 16. FLOOD PLAIN DISTRICT

16.1. Statement of Purpose. The purposes of the Flood plain District are to:

- 1. Ensure public safety through reducing the threats to life and personal injury.
- 2. Eliminate new hazards to emergency response officials;

3. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
4. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
5. Eliminate costs associated with the response and cleanup of flooding conditions;
6. Reduce damage to public and private property resulting from flooding waters.

16.2. Floodplain District Boundries.

The Floodplain District is herein established as an overlay district. The District includes all the special flood hazard areas designated on the Tewksbury Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the NFIP dated July 2, 1981 as Zone A, A1-30, B, & C, and the FEMA Flood Boundary & Floodway Map dated July 2, 1981, both maps which indicate the 100-year regulatory floodplain. The exact boundries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Flood Insurance study booklet dated January 2, 1981. The FIRM, Floodway Maps and Flood Insurance Study booklet are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Commissioner, Conservation Commission and the Town Engineer. Above referenced maps and study booklet may be amended from time to time.

16.3. Base Flood Elevation and Floodway Data.

Floodway data. In Zone A, A1-A30, and AE along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

16.4. Notification of Watercourse Alteration.

Notify, in a riverine situation, the following of any alteration or relocation of a watercourse:

- Adjacent Communities.
- NFIP State Coordinator
Massachusetts Office of Water Resources
- NFIP Program Specialist
- FEMA Region 1

16.5. Use Regulations.

Reference to existing regulations. The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and the following:

- 780 CMR (Massachusetts State Building Code), "Flood Resistant Construction", (currently Chapter 3107.0) which addresses floodplain;
- 310 CMR (Commonwealth of Massachusetts Regulations), Department of Environmental Protection, Wetlands Protection Regulations. (currently Section 10.00)
- Inland Wetlands Restriction, DEP (currently 302 CMR 6.00)
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5).

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

Other Use Regulations.

1. In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Tewksbury Flood Boundary & Floodway Map, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. Review all subdivision proposals to assure that: a) such proposals minimize flood damage; b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and c) adequate drainage is provided to reduce exposure to flood hazards.
3. Existing contour intervals of site and elevations of existing structures must be included on plan proposal.
4. Applicant shall be required to submit one copy of the development plan to the Conservation Commission, Planning Board, Board of Health, Town Engineer, and Building Commissioner for comments which will be considered by the appropriate permitting board prior to issuing applicable permits.

16.6 Permitted Uses.

The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged provided they are permitted in the underlying district and they do not require structures, fill, or storage of materials or equipment:

1. Agricultural uses such as farming, grazing, truck farming, horticultural, etc.
2. Forestry and nursery uses.
3. Outdoor recreational uses, including fishing, boating, play areas, etc.
4. Conservation of water, plants, wildlife.
5. Wildlife management areas, foot, bicycle, and/or horse paths.
6. Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
7. Buildings lawfully existing prior to the adoption of these provisions.

16.7. Administration.

In order to insure the proper administration of the Flood Plain District, the Building Commissioner shall;

1. Review proposed development to insure that all necessary permits have been obtained from those governmental agencies from which approval is required by federal or state law.
2. Obtain and maintain records of:
 - The elevation to which any structure has been flood proofed;
 - The floodproofing certificates required under the Flood Plain District;
 - Whether or not the structure has a basement.

16.8. Definitions.

The following definitions are exclusive to the FLOOD PLAIN DISTRICT:

AREA OF SPECIAL FLOOD HAZARD is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, A99, V1-30, VE or V.

BASE FLOOD means the flood having a one percent chance of being equaled to or exceeded in any given year.

DEVELOPMENT means any manmade change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DISTRICT means floodplain district.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (The floodway designation is included on the FIRM.)

FLOOD INSURANCE RATE MAP (FIRM) means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY means an examination, evaluation and determination of flood hazards, and if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.

LOWEST FLOOR means the lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area, other than a basement area, is not considered a building's lowest floor, PROVIDED that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations 60.3.

MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

NEW CONSTRUCTION means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community. For the purpose of determining insurance rates, NEW CONSTRUCTION means structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later.

NEW MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at the minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

ONE-HUNDRED-YEAR FLOOD – see BASE FLOOD.

REGULATORY FLOODWAY – see FLOODWAY

SPECIAL FLOOD HAZARD AREA means an area having special flood and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, AH, V, V1-30, VE.

START OF CONSTRUCTION includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling or floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

STRUCTURE, for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed.

ZONE A means the 100-year floodplain area where the base flood elevation (BFE) has not been determined. To determine the BFE use the best available federal, state, local or other data.

ZONE A1-30 and ZONE AE means the 100-year floodplain where the base flood elevation has been determined.

ZONES B, C AND X are areas identified in the community Flood Insurance Study as areas of moderate or minimal flood hazard. Zone X replaces Zones B and C on new and revised maps.

Or take any action relative thereto.

Building Commissioner

Motion: The Planning Board motioned to Withdraw Article 40.

Voted: Article 40 was Withdrawn.

10:10 PM 5/8/02

Executive Summary: The purpose of this article is to bring the current "Flood Plain District" By-Law in compliance with the recommendations of the Department of Environmental Management. The proposal enhances the existing by-law with more clarification and has received approval from the DEM.

ARTICLE 41

To see if the Town will vote to amend the Zoning By-Law Section 3 Zoning Districts by rezoning from Commercial (CO) to MULTIPLE FAMILY DWELLING DISTRICT (MFD), a certain parcel of land as shown on Assessor's Map 73 as part of lot 3 thereon, and further and more specifically described as lot 3 and Roma Drive, (a private way) on a plan of land entitled "Plan of Land, Tewksbury, Mass., dated January 1990 drawn for Villa Roma Condominium by Merrimack Engineering Services, 66 Park St., Andover, Mass., 01810" and recorded December 11, 1990 at Middlesex North District Registry of Deeds in Plan Book 174 as plan 138. Said lot 3 containing 164,389 square feet of land (3.7738 AC) and Roma Drive containing 14,885 square feet (.3417 AC), or take any other action relative thereto.

Raymond Paczkowski and Others

Motion: Attorney Raymond Paczkowski motioned to Withdraw Article 41.

Voted: Article 41 was Withdrawn.

9:32 PM 5/8/02

Executive Summary: This article seeks to rezone from Commercial use to Multi-family use a parcel of land situated between the Villa Roma Condominiums and Main Street. This parcel contains approximately 4.2 acres and has frontage of approximately 113.91 feet and 80 feet on Main Street.

ARTICLE 42

To see if the Town will vote to amend the Tewksbury Zoning By-Law, Section 4.9 Community Development District, Section 4.9.4(h) Site Plan Special Permit Requirements, Permitted Uses., paragraphs (1) and (2) from:

(1) Each Community Development District must contain the following uses:

Adult Day Care Facility and/or
Independent Living Facility and/or
Assisted Living Facility and/or
Long Term Care Facility.

(2) Of the total land devoted to Adult Day Care, Independent Living Facilities, Long-Term Care Facility, and/or Assisted Living Facility use, no more than sixty-five percent shall be devoted to Adult Day Care and/or Independent Living Facilities. The remaining land must be reserved for Long-Term Care and/or Assisted Living Facility use. If the Planning Board makes findings of fact it will benefit the residents or the Town that to increase the minimum requirements of open space and/or assist a greater portion of elderly Tewksbury residents, the requirements of this paragraph may be modified.

To:

(1) Each Community Development District must contain the following types of facilities:

Type 1 – Adult Day Care Facility and/or Independent Living Facility; and
Type 2 – Assisted Living Facility and/or Long-Term Care Facility

Each of these types of facilities is needed to serve the elderly residents of the Town and to conform to the intent and purpose of the Community Development District. To ensure that both types of housing are provided in a timely matter, the issuance of occupancy permits for Type 1 and Type 2 units shall conform to the following phasing schedule (fractions of units not counted):

| Type 1 Units | Required Type 2 Units |
|---------------------------------|------------------------------|
| Up to 40 percent of total | None |
| 40 percent of total plus 1 unit | At least 25 percent of total |
| 80 percent of total | At least 50 percent of total |
| 80 percent of total plus 1 unit | At least 75 percent of total |
| 90 percent of total | 100 percent of total |

(2) Land developed for Adult Day Care and/or Independent Living Facilities shall not comprise more than sixty-five percent of the total developed area of the Community Development District. The remaining developed area must be reserved for Long-Term Care and/or Assisted Living Facilities. "Developed area" shall mean the land enclosed by a perimeter line extending 25 feet or to the boundary line of the property, whichever is shorter, from the edge of all living units, facilities used for other approved uses, and roads. Outside of this perimeter line, none of the land reserved for Open Space or designated as wetlands shall be included in the developed area. If the Planning Board makes findings of fact it will benefit the residents or the Town that to increase the minimum

requirements of open space and/or assist a greater portion of elderly Tewksbury residents, the requirements of this paragraph may be modified.

Keith Rauseo and Others

Motion: The Finance Committee motioned to Indefinitely Postpone Article 42.
Mr. Keith Rauseo motioned to Withdraw Article 42.

Voted: Article 42 was Withdrawn.

9:32 PM 5/8/02

Executive Summary: The purpose of this article is to ensure that Community Development Districts conform to the purpose and intent of the by-law, to serve the various degrees of specialized housing needed by the elderly. The changes to the first paragraph create a building schedule requiring development of each type of facility in a fairly concurrent manner. The changes to the second paragraph clarify the land use language of the by-law, and close a loophole that allows an applicant to "reserve" land that is not possible to develop for Type 2 facilities to free more developable land for more profitable Type 1 facilities.

ARTICLE 43

To see if the Town will vote to amend the Tewksbury Zoning By-Laws by adding the following

In Section 2. Definitions, between "Massage Service Establishments" and "Mobile Home" add the following:

Mixed-Income Development: A residential subdivision of up to 100 single-family detached homes on lot sizes of at least 10,000 square feet, with at least 25 percent of those homes set aside for low and middle-income residents.

Furthermore, in Section 4.6.A Use Regulation Schedule, Residential; add the following after line SPSP8:

9. Mixed-Income Development (subject to Section 4.13)

| | | | | | | | | | | | | |
|-----|-----|----|----|-----|----|---|-----|----|-----|--------|-----|----|
| R40 | R80 | FA | LB | COM | TR | P | INS | MN | MFD | MFD/55 | CDD | IH |
| SP | SP | SP | SP | SP | SP | N | N | N | N | N | N | N |

Furthermore, in Section 4, Use Regulations, add the following new subsection 4.13:

Section 4.13 Mixed-Income Development Special Permit

Mixed-Income Developments: The Planning Board may grant a special permit for a tract of land to be subdivided as a Mixed-Income Development subject to the requirements and conditions specified below:

4.13.1 Purpose

The purpose of the Mixed-Income Development is to encourage the development of low and middle-income housing, the reduction of sprawl, and a more efficient use of land for residential purposes. In consideration of granting this Special Permit, the Planning Board of the Town of Tewksbury is providing the developer with an incentive, in the form of a density bonus of 2 market rate units to 1 affordable rate unit in the R40, R80, FA, LB, COM and TR districts, above the 1 unit per acre allowable density of those districts.

4.13.2 Number of Lots Permitted

The total number of building lots in a Mixed-Income Development shall not exceed 100.

4.13.3 Dimensional Requirements

Applicants and the Planning Board shall observe the following standards and requirements in all Mixed-Income Developments. The Planning Board may impose further restrictions upon the tract or parts thereof as a condition to the granting of a special permit.

- A. Area - Not less than 10,000 square feet per building lot.
- B. Frontage - Not less than 75 feet on a public way.
- C. Front Setback - Not less than 25 feet.
- D. Side and Rear Setbacks - Not less than 15 feet.
- E. Lot Shape and Perimeter - The lot shape and perimeter requirements set forth in Section 5.3.5 shall apply to Mixed-Income Developments. The Planning Board shall have the authority to require changes in lot shape and perimeter as required or deemed necessary to maintain the quality of the development

- F. Minimum Open Space - a minimum of ten (10) percent of the total site area shall be set aside for Open Space as defined by this By-Law, and shall not include any roadway. Open Space shall be used and maintained as permitted in Section 4.8.5 and 4.8.6 of the Zoning By-Law, and further shall be subject to conservation restrictions running with the land and recorded at the Middlesex North District Registry of Deeds and/or the Land Court. The Planning Board shall consult with the applicant concerning the definition of the Open Space area and shall encourage the applicant to use the Open Space area as a transitional area between the Mixed-Income Development and other existing developments.
- G. All other lot coverage and dimensional requirements shall follow the standards prescribed for that district as set forth in Section 5.3.

4.13.4 Other Requirements

A subdivision must meet the following requirements in order for the Planning Board to grant a special permit for a Mixed-Income Development.

- A. The total area of the subdivision shall not be less than 10 acres.
- B. Only single-family detached homes may be developed.
- C. The geographic center of the tract of land being subdivided shall not be closer than one-half mile from the geographic center of any existing Mixed-Income Development.
- D. At least twenty-five (25) percent of the total area of the subdivision shall not be subject to the provisions of M.G.L. Chapter 131, Section 40, the Wetlands Protection Act, or have slopes in excess of twenty-five (25) percent.
- E. At least twenty-five (25) percent of the homes developed must be Affordable Housing Units, subject to the following requirements:
 - (1) An Affordable Housing Unit is defined as a dwelling unit available at a cost of no more than 30% of gross household income of households at or below 80% of the Middlesex County median income as reported by the U.S. Department of Housing and Urban Development including units listed under M.G.L. Chapter 40B, Section 20-24 and the Commonwealth's Local Initiative Program.
 - (2) Qualified purchasers of an Affordable Housing Unit must be an individual or family with a household income not exceeding 80% of the median income, with adjustments for household size, as reported by the United States Department of Housing and Urban Development (HUD) and the Commonwealth's Local Initiative Program. Purchasers must comply with the income verification requirements of the developer's agents and/or the Tewksbury Housing Authority in proving and certifying their qualification to purchase an Affordable Housing Unit.
 - (3) Affordable Housing Units must be situated within the development so as not to be in less desirable locations than market-rate units in the development and shall, on average, be as accessible to public amenities as the market-rate units.
 - (4) Affordable Housing Units shall be integrated with the rest of the development and shall be compatible in design, appearance, construction and quality of materials with other units. Interior features of affordable units shall comply in all respects to the minimum design and construction standards set forth in the Local Initiative Guidelines by the Department of Housing and Community Development July 1996, or as amended.
 - (5) To ensure that Affordable Housing Units are constructed coincident with the rest of the Mixed-Income Development, the issuance of occupancy permits will be subject to the following schedule (fractions of units not counted):

| Completed Market-Rate Units | Required Affordable Housing Units |
|---------------------------------|-----------------------------------|
| Up to 3.5 percent of total | None required |
| 35 percent of total plus 1 unit | At least 10 percent of total |
| 50 percent of total | At least 30 percent of total |
| 75 percent of total | At least 50 percent of total |
| 75 percent of total plus 1 unit | At least 70 percent of total |
| 90 percent of total | 100 percent of total |

- (6) Applicants shall submit a marketing plan describing how they will market the Affordable Housing Units to potential homebuyers. This plan shall give priority to Tewksbury residents and shall include a description of the lottery or other process to be used for selecting buyers, and must be approved by the Planning Board.
- (7) The above sale price and income restrictions shall be part of the deed of all Affordable Housing Units for a period of thirty (30) years after their initial sale, and shall carry forward through any resale of the unit during that period. The Building Inspector may not issue an occupancy permit for an Affordable Housing Unit until all proper deed restrictions are recorded.
- (8) Affordable Housing Units must be owned and occupied by their purchaser.

- F. There shall be no limits set on the prices of the market-rate units, nor shall there be any limits set on the profits available to the applicant from the construction and sale of the complete Mixed-Income Development.

4.13.5 Application for Special Permit

The application for a special permit for a Mixed-Income Development shall be accompanied by a preliminary subdivision plan and any other documents required by the Planning Board. The plans must include the following information:

- (1) Area covered by development
- (2) Any wetland or flood plain within the area, with the total wetland and/or flood plain area clearly noted
- (3) Topography of the land using a maximum of two-foot contours
- (4) Proposed location of homes and roadways, and the width of roadways
- (5) Soil characteristics as shown on Soil Conservation Service Maps
- (6) Existing vegetation and proposed landscaping
- (7) Type of zoning in the surrounding area
- (8) Type of sewage to be used and a proposed sewage plan
- (9) Name(s) of owners and developers
- (10) Existing buildings or structures in the development area

Applicants shall also submit copies of the preliminary subdivision plan and all additional information required to the Tewksbury Board of Public Works, the Tewksbury Board of Health, the Tewksbury Building Commissioner, the Tewksbury Conservation Commission, and the Tewksbury Board of Selectmen.

4.13.6 Action of the Planning Board

In determining whether to grant a special permit for a proposed Mixed-Income Development that meets the minimum standards described above, the Planning Board shall also consider:

- (1) The objectives of the Mixed-Income Development, namely the production of affordable housing and the reduction of sprawl.
- (2) Existing and probable future development of surrounding areas
- (3) Appropriateness of the Mixed-Income Development in relation to topography and other characteristics of the tract
- (4) The recommendations of the Boards of Health, Public Works, and Selectmen and the Conservation Commission which recommendations must be submitted to the Planning Board within 30 days of their receipt of the proposed plans. The Planning Board shall not issue a special permit for a Mixed-Income Development if for whatever reason that development would be detrimental to the health, safety, or welfare of a neighborhood or the Town as a whole. To eliminate these concerns, the Planning Board may specify further conditions when granting a special permit.

4.13.7 Compliance with other Rules and Regulations

Nothing contained herein shall in any way exempt a proposed subdivision plan from compliance with other sections of the Tewksbury Zoning By-Law (except as specifically stated in this section); the Subdivision Rules and Regulations of the Town of Tewksbury; regulations of the Tewksbury Board of Health or Tewksbury Board of Public Works; regulations of the Tewksbury Conservation Commission; the Tewksbury Wetlands Protection By-Law; or any rules, regulations, or laws issued by the Commonwealth of Massachusetts.

4.13.8 Revision of Mixed-Income Development Plan

Any- change in the number of lots, the lines of the streets, or the development schedule of Affordable Housing Units shall require a new special permit issued in accordance with the provisions of this Section.

4.13.9 Severability

If any provision of this Section is declared invalid or unconstitutional by a court of competent jurisdiction, that decision will not affect the validity of the remaining provisions of this Section. The Town of Tewksbury declares that it would have adopted this Section and each portion thereof irrespective of the fact that any one or more portions be declared invalid or unconstitutional.

Keith Rauseo and Others

Motion: Mr. Keith Rauseo motioned to Correct the numbering system in the warrant to correlate with the newly adopted Zoning Bylaws, Amend Article 43 and Adopt Article 43, as Amended.
Mr. Steve Deackoff motioned to Amend.

Mr. Paul Fansel motioned to Indefinitely Postpone Article 43.
The Planning Board supported the motion for Indefinite Postponement.
Ms. Michelle Walsh, Chairman Local Housing Partnership, supported the motion for Indefinite Postponement.

The Moderator accepted a Scrivener's Error:

SCRIVENER'S ERROR:

Under 4.13.3 1st paragraph - last word
change "peanut" to "permit"

A motion was made to Move the Question and this motion was Adopted.

8:52 PM 5/8/02

Voted: Mr. Rauseo's Amendment to correct the numbering system and add to the definitions was Adopted. 8:20 PM 5/8/02

The Moderator asked the Assembly if they wanted to act on the motion to Indefinitely Postpone Article 43 before voting on the remaining Amendments to Article 43 and this motion was Adopted.

8:55 PM 5/8/02

Mr. Fansel's motion to Indefinitely Postpone Article 43 was Adopted.

8:55 PM 5/8/02

Article 43 was Indefinitely Postponed.

Executive Summary: The purpose of this article is to provide a means of producing affordable housing that is better than the state's Comprehensive Permit process for both developers and residents. It does not limit developers' profits, it does not allow overwhelming densities (four homes per acre, similar to much of the existing development in town), it provides local control, and most importantly it promotes the American Dream of home ownership and economic advancement

ARTICLE 44

To see if the voters of the Town of Tewksbury will vote to amend the Zoning Bylaws of the Town of Tewksbury, SECTION 3. ZONING DISTRICTS, to correct an inadvertent error.

Section zz. 17.

That portion of Town beginning at the intersection of Whittemore Street and land now or formerly of Sessa and land of DSM Realty Inc., thence north along Whittemore Street to East Street, a distance of 750 feet, more or less, thence northeast along East Street to the Tewksbury-Andover boundary line, a distance of 4,020 feet, more or less, thence southeast along the Tewksbury-Andover boundary line to the B&M railroad line a distance of 2,630 feet, more or less, thence west along the B&M railroad line, a distance of 1,800 feet, more or less, thence southeast along land of Shawsheen Industrial Condo, a distance of 300 feet, more or less, thence southwest along land of Shawsheen Industrial Condo a distance of 315 feet, more or less thence west along land of Shawsheen Industrial Condo and land of Colucciello to the west side of Shawsheen Street, a distance of 750 feet, more or less, thence southwest along Shawsheen Street to intersection of land of New England Power and land of Seifer, a distance of 1,150 feet, more or less, thence northwest along the land of Seifer to land of DSM Realty Inc., a distance of 410 feet, more or less, then west along land of DSM Realty Inc., a distance of

DELETE:

600 feet, more or less, thence south along land of DSM Realty Inc., a distance of 1, 145 feet, more or less, thence northwest along land of DSM Realty Inc., a distance of 750 feet, more or less, thence north along land of DSM Realty Inc., a distance of 610 feet, more or less, thence west along land of DSM Realty Inc., a distance of 150 feet, more or less, to the point of beginning.

ADD:

512 feet, more or less, thence west again along land of DSM Realty Inc. a distance of 90 feet more or less, thence south along land of DSM Realty Inc., a distance of 168 feet, more or less, thence west to a point 150 feet west, more or less, of land of DSM Realty Inc., a distance of 200 feet, more or less, thence south to a point 175 feet west, more or less, of land of DSM Realty Inc., a distance of 940 feet, more or less, thence west, a distance of 360 feet, more or less, thence north along land of DSM Realty Inc., a distance of 270 feet, more or less, thence west along land of DSM Realty Inc., a distance of 60 feet, more or less, thence north along land of DSM Realty Inc., a distance of 630 feet, more or less, thence west along land of DSM Realty Inc., a distance of 150 feet, more or less, to the point of beginning.

(Ref. ZBL Section zz. 6., Ref. Article 73 of the 1975 Town Meeting and Article 39 of the 1977 Town Meeting, as amended)

Nancy Reed and Others

Motion: Mr. David Silva motioned to Adopt Article 44, as Amended.
The Planning Board motioned to Amend Article 44.
Mr. Richard Cuoco motioned to Indefinitely Postpone Article 44.

Voted: The Planning Board's Amendment was Adopted. 9:25 PM 5/8/02
Mr. Cuoco's motion for Indefinite Postponement Failed.
9:25 PM 5/8/02
Article 44 was Adopted, as Amended. 97 YES, 34 NO (2/3's vote = 88) 9:28 PM 5/8/02

AMENDMENT: Delete the first sentence and replace with the following:

To see if the voters of the Town of Tewksbury will vote to amend the Zoning Bylaws of the Town of Tewksbury, Appendix D-Zoning Map Descriptions and Zoning Map dated March 27, 2002 as follows:"

Executive Summary: To amend the zoning bylaws to reflect Zoning Districts, Section 3. zz. 6, Article 73 of 1975 Town Meeting zoning article to expand the heavy industrial district of land of DSM Realty Inc., which was not the entire property. The zoning article of 1975 left a residential Buffer Zone, ('J' shaped, approx. 1200 feet long, 175 feet wide) along the east side of the site. Article 47 of the 1995 Town Meeting as adopted, describing the Heavy Industry Zoning District inadvertently omitted the Buffer Zone district description of 1975. Site Plan, 1976, attached.

ARTICLE 45

To see if the Town will vote to accept a sewer line and sewer pump station known as New Jersey Road Sewer constructed by Armando DeCarolis and to authorize the Town Manager to acquire any fee, easement or other interest in land as shown on a plan entitled "Proposed Sewer Easement New Jersey Road to Maryland Road" prepared by Robert P. Morris, Land surveyor, dated October 4, 2001, necessary therefor, whether by eminent domain, purchase, gift or otherwise, or take any other action relative thereto. Said plan on file in the Office of the Town Clerk.

Town Manager

Motion: The Finance Committee motioned to Adopt Article 45.

Voted: Article 45 was Adopted. 9:34 PM 5/8/02

Executive Summary: The purpose of this article is to correct the long standing issue as to who is responsible for the sewer pump station and sewer line for maintenance as well as who has any ownership interests in the land on which the pump station and sewer line are situated. This acceptance would be in the best interest of the residents in the New Jersey Road area and the Town.

ARTICLE 46

To see if the Town will vote, to authorize the Town Manager pursuant to Massachusetts General Laws, Chapter 79, and every other power and authority herein enabling, having determined and adjudged the common convenience and necessity to extend the sanitary sewer system for the Town, to take by eminent domain in fee simple or by easement certain land, as hereinafter described, which is reasonably necessary to carry out the purposes of the said sanitary sewer system, or take any other action relative thereto:

Parcel I

The property located at Tewksbury Assessors Map 24, Lot 27, and further described as:

BEGINNING AT A POINT, said point being southerly 53 feet, more or less, from the northeast corner of land of Lisay, Thence S 46°59'15" W, 222.26 feet, more or less, to a point; Thence, S 82°09'24" W, 64.29 feet, more or less, to a point; Thence, 57 feet, more or less, Trull Brook in a southerly direction; Thence, N 82°09'24" E, 55.19 feet, more or less, to a point; Thence, N 46°59'15" E, 213.25 feet, more or less, to a point; Thence, N 16°34'23" W, 55.84 feet, more or less, to the point of beginning.

Parcel II

The property located at Tewksbury Assessors Map 24, Lot 26, and further described as:

BEGINNING AT A POINT, said point being on the westerly side of an existing 20' wide utility easement from the Town of Tewksbury, Thence, N 00°10'22" E, 32.30 feet, more or less, to a point; Thence, N 00°14'59" W, 21.60 feet, more or less, to a

point; Thence, N 68°04'35" W, 259.57 feet, more or less, to a point; Thence, S 46°59'15" W, 15.05 feet, more or less, to a point; Thence, 16°34'23" E, 5.84 feet, more or less, to a point; Thence, N 46°59'15" E, 8.10 feet, more or less, to a point; Thence, S 68°04'35" E, 247.87 feet, more or less, to the point of beginning.

Domenic Germano and Others

Motion: The Finance Committee motioned to Adopt Article 46.

Attorney Richard O'Neill motioned to Amend.

Mr. Keith Rauseo motioned to Indefinitely Postpone Article 46.
The Board of Selectmen supported the motion for Indefinite Postponement.

Paul Fansel motioned to Amend.

The Moderator asked the Assembly to allow a non-voter permission to speak and this request was Adopted, 9:50 PM 5/8/02

A motion was made to Move the Question and this motion was Adopted. 10:05 PM 5/8/02

Voted: Mr. Fansel's Amendment was Adopted. 10:05 PM 5/8/02
Attorney O'Neill's Amendment was Adopted. 10:06 PM 5/8/02
Mr. Rauseo's motion to Indefinitely Postponement Article 46 was Adopted.
70 YES, 36 NO 10:09 PM 5/8/02
Article 46 was Indefinitely Postponed.

Executive Summary: The adoption of this Article will allow for the taking of a portion of the Premises located at Assessor's Map 24, Lot 27, and Assessor's Map 24, Lot 26 for the purpose of extending the municipal sewer system of the Town to Premises located at Assessor's Map 12, Lot 4. This action is consistent with the Agreement approved by Town Meeting in 2000 and made by and between the Town of Tewksbury, acting by and through its Planning Board and Town Manager, and Trull Brook LLC, a Massachusetts Limited Liability Company, having a usual place of business at 500 Clark Road, Tewksbury, Massachusetts. The costs associated with this action, as well as the cost of constructing and extending the sewer line are to be the sole responsibility of Trull Brook, LLC. Upon completion of the sewer line, it is to become the property of the Town and part of the municipal sewer system.

TRUE COPY ATTEST:

ELIZABETH A. CAREY, CMMC, CMC
TOWN CLERK

Special Town Meeting

May 7, 2002

Accountant, Chief Assessor, Finance Director, Treasurer, Collector, Town Manager, Board of Selectmen, and Finance Committee:
Pursuant to Section 15A, Chapter 41, Massachusetts General Laws, I hereby certify to the funds appropriated at the Special Town Meeting, convened by proper Warrant on May 7, 2002.

APPROPRIATION CERTIFICATE – SPECIAL TOWN MEETING MAY 7, 2002

| <u>ARTICLE</u> | <u>RAISE & APPROPRIATE</u> | <u>TRANSFER FROM</u> | <u>BORROW</u> |
|---|------------------------------------|-------------------------|---|
| 5. Art. 1, May 1, 2000 S.T.M. Additional Monies Wynn Middle School Remodeling, etc. | | \$ 110,457.50 | Unused Proceeds Ryan School Construction Art. 1, March 4, 1997 S.T.M. |
| 8. Ryan School Gift Account | | 5,000.00 | Selectman's Salary Account |
| 9. Certain Sums of Money to Specific Accounts | | 193,374.00 | Previously Appropriated Monies |
| 10. Police Salaries to Implement Labor Agreement with Local #352 IBPO | | 60,700.00 140,000.00 | Town Manager Salary Escrow Acct. Personnel Relations Review Board Salary Escrow Account |
| 12. New Special Revenue Fund "Compensation Fund" | | 36,630.00 | Fire Salaries |
| 13. Art. 3, Dec. 13, 2000 S.T.M. Renovating Center School & Dewing School Offices | | 4,650.00 | Unused Proceeds Art. 4, May 9, 2001 S.T.M. T.M.H.S. Improvements |
| TOTAL RAISE & APPROPRIATE | | \$ -0- | |
| TOTAL TRANSFERS | | \$ 550,811.50 | |
| BORROW | | | \$ -0- |

ATTEST:

ELIZABETH A. CAREY, CMMC
TOWN CLERK

**SPECIAL TOWN MEETING
MAY 7, 2002**

Tewksbury Memorial High School
320 Pleasant Street
May 7, 2002

Moderator James Coakley opened the May 7, 2002 Special Town Meeting at 7:00 PM.

The Moderator informed the Assembly that Page 10 and Page 71 in the Warrant were reversed.

There were 200 Registered Voters and 21 Visitors in attendance.

Finance Committee Chairman, Ray Shaw motioned to Waive the Reading of the Warrant Articles and this motion was Adopted.
7:01 PM 5/7/02

ARTICLE 1

To see if the Town will vote to amend and renumber the Tewksbury Zoning By-Law as follows:

Replace Section 1 (1.1, 1.2, 1.3 and 1.4) with the following and renumber and replace Section 1.5 with New Section 9100:

SECTION 1000. PURPOSE AND AUTHORITY

1100. PURPOSE. The purpose of this By-Law is to implement the zoning powers granted to the Town of Tewksbury under the Constitution and Statutes of the Commonwealth of Massachusetts and includes, but is not limited to, the following objectives: (a) encouraging the most appropriate use of land; (b) promoting the health, general welfare of the inhabitants of the Town; (c) preventing overcrowding of land; (d) securing safety from fire, flood, panic and other dangers; (e) sustaining the economic viability of the community; (f) balancing private property rights with the greater common good; (g) lessening congestion of traffic; (h) assisting in the economical provisions of transportation, water, sewerage, schools, parks and other public facilities; (i) encouraging housing for persons of all income levels; (j) preserving and enhancing the development of the natural, scenic, aesthetic qualities of the Town; and (k) giving consideration of the recommendations of any special studies and master plans.

1200. AUTHORITY. This Zoning By-Law is enacted in accordance with the provisions of the Massachusetts General Laws, Chapter 40A, and any and all amendments thereto.

1300. SCOPE. For these purposes, the construction, repair, alteration, reconstruction, height, number of stories, and size of buildings and structures, the size and width of lots, the percentage of lot area that may be occupied, the size of yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures, and land in the Town of Tewksbury are regulated as hereinafter provided.

1400. APPLICABILITY. All buildings or structures hereinafter erected, reconstructed, altered, enlarged, or moved, and the use of all premises in the Town of Tewksbury, shall be in conformity with the provisions of the Zoning By-Law. No building, structure or land shall be used for any purpose or in any manner other than is expressly permitted within the district in which such building, structure or land is located. Where the application of this By-Law imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants, or agreements, the provisions of this By-Law shall control.

1500. AMENDMENTS. This By-Law may from time to time be changed by amendment, addition, or repeal by the Town Meeting in the manner provided in M.G.L. c. 40A, s. 5, and any amendments thereto.

1600. SEVERABILITY. The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision herein.

Renumber and Amend Section 2 Definition as Section 10000.

Amend Section 3 Zoning Districts by renumbering Section 3.1 through Section 3.12 as Appendix D Zoning Districts and add a new Section 2000 Districts as follows:

SECTION 2000. DISTRICTS

2100. ESTABLISHMENT. For the purpose of this By-Law, the Town of Tewksbury is divided into the types of zoning districts set forth below:

| | |
|--------------------------------------|----------|
| Residence 40 District | (R40) |
| Residence 80 District | (R80) |
| Farming District | (FA) |
| Limited Business District | (LB) |
| Commercial District | (COM) |
| Transitional District | (TR) |
| Parks District | (P) |
| Institutional District | (INS) |
| Municipal District | (MN) |
| Multiple Family District | (MFD) |
| Multiple Family Dwelling/55 District | (MFD/55) |
| Community Development District | (CDD) |
| Heavy Industrial District | (HI) |

2200. OVERLAY DISTRICTS. In addition, the following overlay districts are also hereby established:

| | |
|--|--------|
| Arts, Crafts, Antiques/Cottage Industries Overlay District | (ACOD) |
| Flood Plain Overlay District | (FPOD) |

2300. MAP. These districts are shown, defined and bounded on the map accompanying this By-Law entitled "Town of Tewksbury Zoning Map," dated March 27, 2002, as further described and amended in Appendix D of this By-law, and on file with the Town Clerk, said map and all explanatory matter therein hereby made part of this By-Law.

2310. Rules for interpretation of zoning district boundaries. Where uncertainties exist as to the boundaries of districts as shown on the official zoning maps the following shall apply:

2311. Where the boundary lines as shown upon said map as approximately following the street lines, of public and private ways or railways, the centerlines of such ways shall be the boundary lines.

2312. Where the boundary lines are shown approximately on the location of property lot lines, and the exact location of property, lot or boundary lines is not indicated by means of dimensions shown in figures, then the property or lot lines shall be the boundary lines.

2313. Boundary lines located outside of street lines and shown approximately parallel thereto shall be regarded as parallel to such street lines, and dimensions shown in figures placed upon said map between such boundary lines and street lines are the distance in feet of such boundary lines from such street lines; such distances being measured at right angles to such street lines unless otherwise indicated.

2314. In all cases which are not covered by other provisions of this section, the location of boundary lines shall be determined by the distance in feet, if given, from other lines upon said map, by the use of identifications as shown on the map, or by the scale of the map.

2315. Where the district boundary line follows a stream, lake or other body of water, said boundary line shall be construed to be at the thread or channel of the stream; or at the limit of the jurisdiction of the Town of Tewksbury, unless otherwise indicated.

2316. Where a district boundary line divides any lot existing at the time such line is adopted, the regulations of any district in which the lot has frontage on a street may be extended not more than twenty (20) feet into the other district.

2317. Where physical or cultural features existing on the ground are at variance with those shown on the official map, or in other circumstances not covered by the above subsections, the board of appeals shall interpret the district boundaries.

| |
|--|
| Amend and renumber Section 4 Use Regulations as follows: |
|--|

SECTION 3000. USE REGULATIONS

3100. PRINCIPAL USES. No land shall be used and no structure shall be erected or used except as set forth in the following Table of Use Regulations, including the notes to the Schedule, or as otherwise set forth herein, or as exempted by General Laws. Any building or use of premises not herein expressly permitted is hereby prohibited.

3110. Symbols. Symbols employed in the Table of Use Regulations shall mean the following:

| | |
|---|-------------------------|
| Y | - Permitted as of right |
| N | - Prohibited |

- SP - Special Permit/Board of Appeals
- PB - Special Permit/Planning Board
- BOS - Special Permit/Board of Selectmen

3120. If Classified Under More than One Use. Where an activity may be classified as more than one of the principal uses listed in the Table of Use Regulations, the more specific classification shall determine permissibility; if equally specific, the more restrictive shall govern.

3121. Where classified as a Major Commercial Project, that classification shall govern and the Planning Board shall be the Special Permit Granting Authority.

3130. Table of Use Regulations. See Appendix A.

3200. ACCESSORY USES

3210. Nonresidential Accessory Uses. Any use permitted as a principal use is also permitted as an accessory use, unless allowed elsewhere in this By-Law, provided such use is customarily incidental to the main or principal building or use of the land. Any use authorized as a principal use by special permit may also be authorized as an accessory use by special permit provided such use is customarily incidental to the main or principal building or use of the land. Any use not allowed in the district as a principal use is also prohibited as an accessory use. Accessory uses are permitted only in accordance with lawfully existing principal uses. In all instances where site plan review and approval is required for a principal use, the addition of any new accessory use to the principal use, where such addition exceeds the thresholds established in Section 9500, shall also require site plan review and approval.

3220. Permitted Accessory Uses. The following accessory uses are specifically permitted as of right or by special permit:

3221. Accessory Scientific Uses. Uses, whether or not on the same parcel as activities permitted as a matter of right, which are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit by the Planning Board provided that the Board finds that the proposed use does not substantially derogate from the public good.

3222. RESERVED

3223. Family Day Care Homes. Small family day care homes, with not more than six nonresident children served on the premises, are allowed as an accessory use as of right in all districts. Larger family day care homes registered with and licensed by the Commonwealth of Massachusetts Office of Children are allowed in all districts only upon the issuance of a special permit by the Board of Appeals.

3224. Animals accessory to dwellings. Animals kept as an accessory use at a residence shall conform to the regulations of the Tewksbury Board of Health.

3225. Boarders in Single-Family Dwelling. The renting of rooms and/or furnishing of board to not more than two persons in a single-family dwelling by the owner/occupant thereof shall be a permitted accessory use. The renting of rooms and/or furnishing of board to more than two persons in a single-family dwelling by the owner/occupant thereof shall be deemed a boarding house, which is prohibited in all zoning districts.

3226. The outdoor display and/or storage of goods and merchandise for sale is permitted only when such display and/or storage is wholly incidental and secondary to the primary use conducted within the permanent structure on the lot. No such display and/or storage may occur in delineated parking spaces, traffic lanes, crosswalks, sidewalks or public ways. No additional signs are permitted except as otherwise provided herein.

3230. Prohibited Accessory Uses. The following accessory uses are prohibited:

3231. Unregistered vehicles. Accessory use of any premises and in any zone shall not be construed to mean more than one (1) unregistered vehicle and no more than one (1) unregistered vehicle may be placed, parked or maintained on any property in the Town of Tewksbury in any zone, unless the owner of such property has a Class I, II or III license in accordance with M.G.L. c. 140, ss. 57-69 inclusive. No unregistered motor vehicle may be stored or maintained upon any premises within fifty (50) feet from a street, public way or way laid out on a recorded plan. The Board of Appeals may, by special permit, vary these requirements.

3232. Mobile homes or trailers. No corporation, person or persons, owners, lessees or other person in control of a trailer, trailer coach, trailer coach parks, mobile home or other closed vehicle furnished for housekeeping and designed to be pulled behind another vehicle shall cause the same to be placed upon any premises in any district within the Town. Provided, however, in cases of emergency where a person or persons dwelling has become uninhabitable because of fire, hurricane, flood or other disaster, a mobile home or trailer home may be permitted on such premises for a period not to exceed twelve (12) months for the purpose of allowing such person or persons to live in while rebuilding or reconstructing their dwelling. Any such mobile home shall be subject to the provisions of the State and local sanitary codes and further provided, however, the

Building Commissioner may grant permission to locate upon construction sites a mobile home or trailer home for use as an office without hearing for a period not to exceed six months, and further, provided, recreational campers and mobile trailers used only for recreational purposes shall be exempt from this section, but in no instance may such be inhabited or used as a dwelling.

3233. Where *accessory* to a principal residential use, the following are prohibited:

- a. Commercial kennels;
- b. Contractor's yard for the storage of building materials, equipment, and/or commercial vehicles over 10,000 pounds;
- c. Commercial landscaping equipment, materials, supplies, and/or commercial vehicles over 10,000 pounds;
- d. Commercial auto repair or service.

3300. HOME OCCUPATIONS

3310. Home Occupation - As of Right. A home occupation may be allowed as of right, provided that it:

- 3311.** is conducted solely within a dwelling and solely by the person(s) occupying the dwelling as a primary residence;
- 3312.** is clearly incidental and secondary to the use of the premises for residential purposes;
- 3313.** does not produce offensive noise, vibration, smoke, dust, odors, heat, lighting, electrical interference, radioactive emission or environmental pollution;
- 3314.** does not utilize exterior storage of material or equipment (including the parking of commercial vehicles);
- 3315.** does not exhibit any exterior indication of its presence or any variation from residential appearance;
- 3316.** does not produce any customer, pupil, client, or delivery trips to the occupation site and has no nonresident employees;
- 3317.** is registered as a business with the Town Clerk.

3320. Home Occupation - By Special Permit. A home occupation may be allowed by special permit issued by the Board of Appeals, provided that it:

- 3321.** fully complies with Sections 3312, 3313, 3314, and 3317, above.
- 3322.** is conducted within a dwelling solely by the person(s) occupying the dwelling as a primary residence and, in addition to the residents of the premises, by not more than one additional employee;
- 3323.** does not exhibit any exterior indication of its presence, or any variation from residential appearance, except for a sign or name plate in compliance with Section 5200;
- 3324.** a special permit for such use is granted by the Board of Appeals, subject to conditions including, but not limited to, restriction of hours of operation, maximum floor area, off-street parking, and maximum number of daily customer vehicle trips. Such special permit shall be limited to five years, or the transfer of the property, whichever first occurs.

3400. FAMILY SUITE

3410. Family Suite - As of Right. A family suite is allowed as an accessory use, attached to a single family dwelling in R40, R80, FA, TR and LB zones including Cluster Developments, in accordance with the below listed (1-10) requirements. These requirements are not subject to relief through a variance.

1. The family suite shall contain a maximum floor area of 800 square feet and shall not contain more than one bedroom. Common entries and open decks shall not be included in the 800 SF calculation.
2. The family suite shall be contiguous with the single family dwelling with direct access or connected with a common closed entry.
3. The family suite shall not have its own front door, however, may have a side or rear exit with an open deck and egress.
4. Any structural addition of a family suite must meet all front, side and rear setbacks and lot coverage requirements for the zone.
5. There are no more than **three (3)**-related persons occupying the family suite.
6. A minimum of one additional off-street parking space shall be provided, however, a separate driveway is not permitted.
7. Annual Certification by notarized affidavit shall be provided to the Building Commissioner that the owner of the property, except for bona fide temporary absence shall occupy one of the two dwelling units.
8. The Family Suite shall be subject to review and approval by the Board of Health as to sanitary wastewater disposal in full conformance with the provisions of 310 CMR 15.00 (Title V of the State Environmental Code).
9. Only one Family Suite may be constructed onto any dwelling.
10. Subordination Agreements (as required) and Restriction Agreements shall be completed by the applicant, submitted to the Building Commissioner, then approved and recorded at the North Middlesex Registry of Deeds by Town Counsel.

11. Notwithstanding anything else contained herein to the contrary, nothing herein shall be construed as to require a family suite to be under its own roof.

3500. ACCESSORY STRUCTURES

3510. Permitted Accessory Structures. The following accessory structures are permitted in all districts:

3511. An accessory building not more than 20 feet in height above the average grade level around the structure.

3512. Fences of a height not to exceed six (6) feet and flag poles of a height not to exceed 20 feet shall be exempt from the setback requirements of this Section. Fences that serve as a buffer between abutting residential and industrial /commercial uses and between industrial and commercial uses may exceed six feet and are not subject to setback requirements upon approval of the Planning Board. A building permit is required for a fence exceeding six feet. Any fence or flagpole erected prior to enactment of this By-Law may be repaired or replaced to original configuration and location.

3513. A satellite dish for reception of microwave signals from geostationary satellites is allowed subject to the following regulations:

- a. The satellite dish shall consist of a parabolic reflector (microwave dish) with a microwave receiver at the reflector focus. Satellite dishes are permitted in any district provided that such dish shall not exceed two feet in diameter. In districts other than the R40 and R80, a satellite dish larger than two feet in diameter may be authorized by special permit from the Board of Appeals.
- b. The satellite dish shall be permanently mounted on the ground on a concrete slab or piers and set back from lot lines as an accessory structure in conformance with this By-Law;
- c. The manufacturer or a structural engineer shall certify to the Building Department that the satellite dish and its support is satisfactory to withstand wind speeds to 100 miles per hour without being carried away;
- d. The antenna and its base shall not be located in the front yard or within 50 feet of any public way.
- e. For lots 20,000 square feet or less, the Building Commissioner shall require screening such as fences or shrubs where the antenna is visible from abutting lots.

3514. Commercial Mobile Radio Service/Mobile Telecommunications providers may be permitted as accessory uses, on land zoned Municipal, and may also be permitted to be contained within religious churches, temples, synagogues and like buildings of worship upon the issuance of a use and site plan special permit by the Planning Board after a noticed public hearing that the use is reasonably necessary for the convenience or welfare of the public and will not result in a substantial detriment to the neighborhood.

3515. Swimming pools, game courts, and the like are accessory structures and shall comply with the State Building Code and all applicable setback requirements of this Zoning By-Law.

3520. Prohibited Accessory Structures. The following accessory structures are prohibited in all districts:

- 3521.** A "truck box" shall not be deemed to constitute a permissible accessory structure or use.
- 3522.** A "conex box" shall not be deemed to constitute a permissible accessory structure or use.
- 3523.** A steel storage unit shall not be deemed to constitute a permissible accessory structure or use.

3600. NONCONFORMING USES AND STRUCTURES

3610. Applicability. This Zoning By-law shall not apply to structures or uses lawfully in existence or lawfully begun, or to a building or special permit issued before the first publication of notice of the public hearing required by M.G.L. c. 40A, s. 5 at which this Zoning By-law, or any relevant part thereof, was adopted. Such prior, lawfully existing nonconforming uses and structures may continue, provided that no modification of the use or structure is accomplished, unless authorized hereunder.

3620. Nonconforming Uses. The Board of Appeals may issue a special permit to extend a nonconforming use in only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood. The Board of Appeals shall not allow an existing nonconforming use to be changed to another nonconforming use.

3630. Nonconforming Structures. The Board of Appeals may issue a special permit to reconstruct, extend, alter, or change a nonconforming structure only if it determines that such reconstruction, extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

3640. Variance Required. The reconstruction, extension or structural change of a nonconforming structure in such a manner as to increase an existing nonconformity, or create a new nonconformity, including the extension of an exterior wall at or along the same nonconforming distance within a required yard, shall require the issuance of a variance from the Board of Appeals; provided,

however, that this provision shall not apply to nonconforming single and two family residential structures, which shall be governed by Section 3650, below.

3650. Pre-Existing Nonconforming Single and Two Family Residential Structures. Pre-Existing Nonconforming single and two family residential structures may be reconstructed, extended, altered, or structurally changed upon the issuance of a building permit after a determination by the Building Commissioner that such proposed reconstruction, extension, alteration, or change does not increase the nonconforming nature of said structure. The following five (5) conditions shall not be deemed to increase the nonconforming nature of said structure and shall be used in the Building Commissioner's determination.

1. Any reconstruction, extension, alteration or change to a structure which complies with all current setback, yard, building coverage, and building height requirements but is located on a lot with insufficient area, where the reconstruction, extension or alteration or change will also comply with all of said current requirements.
2. Any reconstruction, extension, alteration or change to a structure which complies with all current setback, yard, building coverage, and building height requirements but is located on a lot with insufficient frontage, where the reconstruction, extension or alteration or change will also comply with all of said current requirements.
3. Any reconstruction, extension, alteration or change to a structure which encroaches upon one or more required yard or setback areas, where the reconstruction, extension or alteration or change will comply with all current setback, yard, building coverage and building height requirements; the provisions of this subsection shall apply regardless of whether the lot complies with current area and frontage requirements.
4. Any reconstruction, extension, alteration or change to the side or face of a structure which encroaches upon a required yard or setback area, where the reconstruction, extension or alteration or change will not encroach upon such area to a distance greater than the existing structure; the provisions of this subsection shall apply regardless of whether the lot complies with current area and frontage requirements. The setbacks for this provision shall not be less than 25ft. front and 10ft. side and rear.
5. Any reconstruction, extension, alteration or change to a nonconforming structure which will not increase the footprint of the existing structure provided that existing height restrictions shall not be exceeded. The setbacks for this provision shall not be less than 25ft. front and 10ft. side and rear.

3651. In the event that the Building Commissioner determines that the nonconforming nature of such structure would be increased by the proposed reconstruction, extension, alteration, or change, the Board of Appeals may, by special permit, allow such reconstruction, extension, alteration, or change where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

3660. Abandonment or Non-Use. A nonconforming use or structure which has been abandoned, or not used for a period of two years, shall lose its protected status and be subject to all of the provisions of this Zoning By-law.

3670. Reconstruction after Catastrophe or Demolition. A nonconforming structure may be reconstructed after a catastrophe or after demolition, provided that the owner shall apply for a building permit and start operations for reconstruction on said premises within two years after such catastrophe or demolition, and provided that the building(s) as reconstructed shall be only as great in volume or area as the original nonconforming structure or provided that the building meets all applicable requirements for yards, setback, and height. In the event that the proposed reconstruction would cause the structure to exceed the volume or area of the original nonconforming structure or exceed applicable requirements for yards, setback, and/or height, a special permit shall be required from the Board of Appeals.

3680. Reversion to Nonconformity. No nonconforming use shall, if changed to a conforming use, revert to a nonconforming use.

| |
|--|
| Amend and renumber Section 5 Lot Coverage and Dimensional Requirements as follows: |
|--|

SECTION 4000. DIMENSIONAL REGULATIONS

4100. GENERAL. No structure shall be erected or used, premises used, or lot changed in size or shape except in conformity with the requirements of this section, unless exempted by this By-Law or by statute.

4110. One Structure per Lot. Except as otherwise provided herein, not more than one principal structure may be placed on any lot.

4120. Change of Lot. No existing conforming or nonconforming lot shall be changed in size or shape except through a public land taking or donation for road widening, drainage, or utility improvements or except where otherwise permitted herein, so as to create a nonconformity or increase the degree of nonconformity that presently exists. If land is subdivided, conveyed, devised or otherwise transferred in violation hereof, no building or other permit shall be issued with reference to said transferred land until the lot retained meets the requirements of this By-Law.

4130. Table of Dimensional Requirements. See Appendix B.

4131. Lots of 10,000 square feet or less upon which the existing primary residence was erected prior to March 18, 1992, may reduce the fifteen foot (15') side and rear setback requirement to ten feet (10') providing proof is submitted to the Building Commissioner that the lot existed prior to the acceptance of Master Zoning (March 18, 1992.)

4140. Dimensional Table Interpretation.

4141. The front yard setback shall be measured from any structure to the established street line. All structures on streets less than 40 feet wide shall be 45 feet minimum from the street centerline. Side and rear yards shall be measured from any structure used for a principal use to the nearest lot line, except where the lot line is a street. In this case, the setback shall be as required for front yard setback.

4142. Accessory Dimensional Requirements. No accessory building or structure, except a permitted sign or roadside stand, shall be located within a required front yard setback.

4143. A detached accessory building or structure shall be located on the same lot and behind the front line of the principal building, provided that not more than twenty-five (25) percent of the required yard area shall be so occupied, and further provided that an accessory structure shall not be located nearer than ten (10) feet from the principal building and at least ten (10) feet from any side or rear lot line.

4144. An accessory building attached to its principal building or within ten (10) feet of it shall be considered an integral part thereof and as such shall be subject to the front, side, and rear yard requirements applicable to the principal building.

4145. In all districts, no lot shall be less than forty feet in width in any location except in a portion of the lot where two lines meet at a point. In addition no lot shall have more than one foot of perimeter for every "Z" square feet of lot area, where "Z" is determined by the following:

- a. Lot size of one acre or larger, but less than two acres; $Z = 39.6$
- b. Lot size two acres or larger, but less than three acres; $Z = 55.9$
- c. Lot size three acres or larger, but less than four acres; $Z = 68.5$
- d. Lot size four acres or larger, but less than five acres; $Z = 79.1$
- e. Lot size five acres or larger, but less than seven acres; $Z = 88.4$
- f. Lot size seven acres or larger, but less than ten acres; $Z = 104.6$
- g. Lot size ten acres or larger; $Z = 125.0$

4146. The limitations in height in feet shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses and other necessary features usually carried above roofs, nor to towers or spires of churches and other buildings, if such features are in no way used for living purposes; provided, however, that any such features shall be allowed higher than 50 feet only upon the issuance of a special permit from the Board of Appeals. **This provision shall not apply to wireless communications facilities under the Federal Telecommunications Act.**

4147. On corner lots, no structures, fence, tree or shrub shall prevent vision clearance in the space between two (2) and eight (8) feet above ground and such provisions shall apply to the space between the corner and the line joining the two points fifteen (15) feet from the corner, measured on the lot lines.

4148. Not less than 50% of any lot shall be contiguous uplands as defined by M.G.L. c. 131, s. 40. Proposed structures shall be located on said uplands.

4200. SPECIAL DIMENSIONAL REGULATIONS

4210. Commercial District and Heavy Industrial District. Structures may be allowed in excess of 35 feet or two and one-half stories in the Commercial District upon the issuance of a special permit from the Planning Board. In no event shall a special permit be issued for structures in excess of 60 feet or 5 stories.

4211. No automobile sales agency or any retail business establishment catering principally to the automobile trade, shall locate any stands or structures less than 50 feet from any established street line, except for signs as regulated elsewhere in this By-Law. No automobile sales agency or any retail business establishment catering principally to the automobile trade shall locate nor park any motor vehicle(s) less than 15 feet from any property line.

4220. Heavy Industrial District. The minimum side rear-yard setbacks for all buildings shall be fifty (50) feet except where said lots abuts an R40 or R80 Zone in which case the side and rear-yard setbacks shall be one hundred (100) feet minimum; provided, however, that this provision shall not be construed to regulate lots across a public way from lots located in the R40 or R80 Zone.

4230. Multiple Principal Structures. Except in the residential districts, more than one principal nonresidential structure may be erected on a lot, pursuant to a special permit issued by the Planning Board in accordance with Section 9300 herein and the following conditions:

- 4231.** No principal building shall be located in relation to another principal building on the same lot, or on an adjacent lot, so as to cause danger from fire;
- 4232.** All principal buildings on the lot shall be served by access ways suitable for fire, police, and emergency vehicles;
- 4233.** All of the multiple principal buildings on the same lot shall be accessible via pedestrian walkways connected to the required parking for the premises, and to each principal building.

Renumber Section 6 Parking and Loading Requirements and Section 14 Sign Bylaw as Section 5000 General Regulations, which includes a new Section 5300 Environmental Performance Standards, and amend as follows:

SECTION 5000. GENERAL REGULATIONS

5100. PARKING AND LOADING REQUIREMENTS

5110. General. No building or structure shall be located upon any lot and no activity shall be conducted upon any lot unless the required parking facilities are provided on site in accordance with this section.

5111. Change of use. The use of any land or structure shall not be changed from a use described in one section of the Schedule of Uses to a use described in another section of the Schedule nor shall any net floor area of the building be increased in any manner unless the number of parking spaces for the new use are provided.

5112. Undetermined uses. In the case where the use of the building(s) has not been determined at the time of application for a building permit or special permit, the parking requirements applicable to the most intensive use allowed in the zoning district, which such undetermined use is to be located, shall apply.

5120. Relief from Parking Regulations by Special Permit from the Planning Board. The Planning Board, by special permit, may authorize a decrease in the number of parking spaces required hereunder provided that:

5121. The decrease in the number of parking spaces is no more than 30% of the total number of spaces required hereunder. The waived parking spaces shall be set aside and shall not be intended for immediate construction. Such spaces shall be labeled as "Reserve Parking" on the site plan.

5122. Any such decrease in the number of required parking spaces shall be based upon documentation of a special nature of a use or building.

5123. In parking facilities containing more than 80 parking stalls, 20 percent of such parking stalls may be for small car use, except for retail store, retail service business or restaurant uses. Such small car stalls shall be grouped in one or more contiguous areas and shall be identified by a sign(s).

5124. The parking spaces labeled "Reserve Parking" on the site plan shall be properly designed as an integral part of the overall parking layout, located on land suitable for parking development and in no case located within an area counted as buffer, parking setback or open space.

5125. The decrease in the number of required spaces will not create undue congestion or traffic hazards and that such relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this By-Law.

5126. If, at any time after the Certificate of Occupancy is issued for the building or use, the Building Commissioner determines that additional parking spaces are needed, the Commissioner shall notify the Planning Board, in writing, of such finding and the Planning Board may require that all or any portion of the spaces shown on the approved site plan as "Reserve Parking" be constructed.

5130. Table of Parking Requirements. Except where a special permit authorizes reduced parking as set forth above, the number of parking spaces shall be as required in the Table of Parking Requirements, Appendix C.

5131. Comparable use requirement. Where a use is not specifically included in the Schedule of Uses, it is intended that the regulations for the most nearly comparable use specified shall apply.

5132. Mixed use requirement. In the case of mixed uses, the requirements shall be the sum of the requirement calculated separately for each area of use, so that adequate space shall be provided to accommodate the cars of all persons on the premises at any one time. Parking spaces for one use shall not be considered as providing the required spaces for any other use, except when it can be clearly demonstrated that the need for parking occurs at different times.

5140. Standard Car Parking Dimensional Regulations. Off-street parking facilities shall be laid out and striped in compliance with the following minimum provisions:

| ANGLE OF PARKING (degrees) | WIDTH OF PARKING STALL (ft.) | PARKING STALL LENGTH OF LINE (ft.) | WIDTH OF MANEUVERING AISLE (ft.) |
|----------------------------|------------------------------|------------------------------------|----------------------------------|
| 90 (two-way) | 9.0 | 18.5 | 24 |
| 60 (one-way) | 10.4 | 22.0 | 18 |
| 45 (one-way) | 12.7 | 25.0 | 14 |
| Parallel (one-way) | 8.0 | 22.0 | 14 |
| Parallel (two-way) | 8.0 | 22.0 | 18 |

5150. Small Car Parking Dimensional Regulations. Off-street small car parking facilities shall be laid out and striped in compliance with the following minimum provisions:

| ANGLE OF PARKING (degrees) | WIDTH OF PARKING STALL (ft.) | PARKING STALL LENGTH OF LINE (ft.) | WIDTH OF MANEUVERING AISLE (ft.) |
|----------------------------|------------------------------|------------------------------------|----------------------------------|
| 90 (two-way) | 8.5 | 15.0 | 24.0 |
| 60 (one-way) | 9.8 | 18.5 | 18.0 |
| 45 (one-way) | 12.0 | 21.5 | 14.0 |
| Parallel (one-way) | 8.0 | 18.0 | 14.0 |
| Parallel (two-way) | 8.0 | 18.0 | 18.0 |

5160. Design Requirements for Residential Parking Facilities.

5161. One parking space may be provided directly behind another for each dwelling unit, provided that each stall shall meet the width and depth requirement and in no case shall such stalls, which are more than two deep, be considered in computing the required parking.

5162. Each driveway shall service not more than one lot. Subject to the granting of a special permit from the Planning Board, a driveway may be shared by not more than two lots. Each shared driveway shall be governed by a maintenance agreement running in perpetuity with the land. The frontage and area of such common driveway shall be in addition to the minimum frontage and area required under Section 4000.

5170. Design Requirements for Business or Industrial Parking Facilities. Required parking spaces, loading areas and driveways shall be provided and maintained with suitable grading, paved surfaces and adequate drainage. No parking space or other paved surface, other than access driveway(s) or walkways, shall be located within 10 feet of any lot line, and notwithstanding the foregoing, no parking space or other paved surface, other than access driveway(s) or walkways, shall be located within the limits of a landscape buffer area required hereunder.

5171. Each lot may have one access driveway which shall be at least 24 feet wide at its narrowest point but not more than the required width for safe vehicle movements onto the adjacent roadway, without entering into the opposing lane. Each lot may have one additional access driveway for each 200 feet of frontage provided all such access driveway(s) shall be at least 200 feet apart on the lot measured from the centerline of each access driveway. In the case of an access driveway, which shall be used for one-way traffic only, the minimum width may be reduced to 14 feet at its narrowest point.

5172. Interior driveways may be reduced to no less than 20 feet for two-way traffic and 14 feet for one-way traffic.

5173. Common Driveway in the Business or Industrial Districts. To the extent feasible, lots and parking areas shall be served by common private access ways, in order to minimize the number of curb cuts in these districts. Such common access ways shall be in conformance with the standards of the Department of Public Works. Proposed documentation (in the form of easements, covenants, or contracts) shall be submitted with the site plan demonstrating that proper maintenance, repair, and apportionment of liability for the common access way and any shared parking areas has been agreed upon by all lot owners proposing to use the common access way. Common private access ways may serve any number of adjacent parcels deemed appropriate by the Planning Board. Common private access ways shall not be wider than 24 feet at any point where it crosses required open space or any parking setback area required hereunder.

5180. Loading Areas. One or more off-street loading areas shall be provided for any business that may be regularly served by tractor trailer trucks or other similar delivery vehicles, so that adequate areas shall be provided to accommodate all delivery

vehicles, expected at the premises at any one time. Loading areas shall be located at either the side or rear of each building and shall be designed to avoid traffic conflicts with vehicles using the site or vehicles using adjacent sites.

5200. SIGNS.

5210. General. This By-Law is adopted for the regulation and restriction of billboards, signs and other advertising devices within this Town on public ways or on private property within public view of a public way, public park or reservation in order to protect and enhance the visual environment of this Town and the safety, convenience and welfare of its residents. This By-Law is hereby declared to be remedial and protective and is to be so construed as to secure the beneficial interests and purposes thereof. This By-Law is adopted pursuant to Chapter 93, 40A and 43B of the General Laws of Massachusetts.

5220. Permit Required. No sign shall be erected, refaced or enlarged until a permit is issued by the Sign Officer, except as otherwise provided herein. An application for a permit shall be made on forms furnished by the Sign Officer containing such information, including photographs, plans and scale drawings, as he/she may require. Such permit shall be issued only if the Sign Officer determines that the sign complies or will comply with all applicable provisions of this By-Law. A schedule of fees for such permits may be determined from time to time by the Board of Selectmen.

5221. Sign Officer. The Building Commissioner is hereby designated as the Sign Officer and is hereby charged with the enforcement of this By-Law. The Sign Officer and his duly authorized agents shall, at reasonable times and upon presentation of credentials, have the power to enter upon the premises on which any sign is erected or maintained in order to inspect said sign.

5222. Exemptions. The provisions of this section shall not apply to:

- a. Signs permitted in residential districts;
- b. Temporary signs;
- c. House number or building numbers;
- d. Public utility identification markings;
- e. Signs or markers required or erected by local, state or federal government;
- f. Names on private residences not used for business purposes;
- g. Striped poles used at barber shops;
- h. Directional markers not exceeding one (1) square foot, such as arrows or entrance and exist markings;
- i. Temporary signs advertising the one time sale of personal property or household accessories, such sign to be posted not more than twice in one (1) year, nor more than seven (7) days at each posting;
- j. Any sign limited solely to directing traffic or providing direction or setting out restrictions on the use of parking areas and not exceeding four square feet in area.

5230. Standards. All signs shall conform with the following standards.

5231. Movement. No sign shall contain any moving, flashing or animated lights or visible moving parts. A sign consisting solely of indicators of time and/or temperature or of an automatically changing message shall be permitted only upon the issuance of a special permit by the Board of Appeals.

5232. Illumination. No sign shall be illuminated between the hours of 12 A.M. and 6 A.M. unless, in the case of an accessory sign, the premises on which it is located are open for business. Signs may be illuminated only by the following means:

- a. By a white steady stationary light of reasonable intensity shielded and directed solely at the sign.
- b. By an interior light of reasonable intensity or by neon gas-filled tubes.
- c. Neon lights are prohibited on free-standing signs.

5233. No sign permit shall be issued for an electrically operated sign until the local wiring inspector has issued a permit therefor. Such permit shall be issued only if the proposed sign complies with all requirements and recommendations of the National Electrical Code and Massachusetts Electric Code.

5234. Color. No sign shall contain red or green lights if such colors would, in the opinion of the Police Chief, constitute a safety hazard.

5235. Tethered floating or inflated devices of any kind, sandwich or A-frame, and banners are prohibited where intended to serve as a sign.

5240. Residence District Requirements. The following requirements pertain in the R40, R80, MFD, MFD/55, and CDD Districts:

5241. One (1) sign not exceeding two square feet in area displaying the street number and/or name of occupant of the premises may be erected. Such sign may include identification of an accessory professional office or other accessory uses permitted in a residence district.

5242. One (1) for sale or for rent sign not exceeding six (6) square feet in area and advertising only the premises on which it is located may be erected.

5243. One (1) contractor's sign not exceeding twelve (12) square feet in area maintained on the premises while construction is in progress and containing information relative to the project may be erected. Such sign shall be removed promptly after the completion of construction.

5244. One (1) identification sign not exceeding twelve (12) square feet in area at any public entrance to a subdivision or multi-family development may be erected upon the issuance of a special permit by the Board of Appeals; such special permit shall specify limits on the size of the sign and the length of time to be maintained.

5245. One (1) bulletin or announcement board, identification sign or entrance marker for each public entrance to the premises upon which a church, synagogue or institution is located, not exceeding thirty (30) square feet in area may be erected, provided that there shall be not more than one such sign for each church, synagogue or institution.

5250. Business, Commercial and Industrial District Requirements. The following requirements pertain to all districts except the R40, R80, MFD, MFD/55, and CDD Districts:

5251. Accessory signs which are permitted in the R40 and R80 Districts may be erected in accordance with the rules of Section 5240.

5252. Attached signs may be erected if firmly affixed to the building. The sign shall not project beyond the face of any other wall of the building or above the highest point of the eave. The sign shall not project more than twelve (12) inches from the face of the wall to which it is attached.

a. The height of the sign shall not exceed three (3) feet. The aggregate length of these signs shall not exceed the full width of the store wall unless the store occupies the entire first floor of a detached building in which event the aggregate length may not exceed three-quarters of the width of the wall. Stores occupying other than the first floor of a building shall have signs not to exceed three (3) feet in length.

b. If a store has a direct entrance in a wall other than the store front, there may be secondary signs affixed to such wall, the aggregate length of which shall not exceed fifty (50) percent of the maximum permissible length of the signs on the store front.

5253. Standing signs. Standing signs may not be erected within fifteen (15) feet of any street lot line or ten (10) feet of any side lot line. Standing signs are limited to a height of twenty (20) feet from the nearest pavement grade to the top of the sign structure. Standing signs may be double faced; however, the permitted area will be measured on one side only.

a. A single business in a single building shall be limited to one (1) free standing not to exceed 60 square feet of sign area.

b. Multiple business in a single building: Multiple business buildings of three (3) businesses or more may be allowed one (1) free standing sign; the size of the sign shall be determined by the number of businesses in the building multiplied by ten (10) square feet, with a maximum of 60 square feet. Buildings of two businesses shall be allowed a sign with a maximum of 60 square feet.

c. A standing sign for a wholesale operation shall be limited to one (1) free standing sign with a maximum of 24 square feet.

d. A standing sign for a professional building shall be limited to one (1) free standing sign with a maximum size of 20 square feet.

e. A standing sign for a shopping centers shall be limited to one (1) free standing sign at each entrance, but not more than two (2) such signs. Each such sign may be a maximum of 60 square feet.

5254. Awnings. Awnings used as signs shall not project more than thirty-six (36) inches from the face of the wall to which it is attached. The signage on the awning must comply with the size requirements of this Section.

5255. Special signs. Signs painted or placed on the inside of the glass of a window shall be permitted, provided that the aggregate area of such sign does not exceed 30 percent of the area of the window glass.

5260. Transitional District Requirements. The following requirements pertain in the Transitional Districts:

5261. Accessory signs which are permitted in the R 40 and R 80 Districts may be erected in accordance with the rules of Section 5240.

5262. Attached Signs. Attached signs may be erected in compliance with Section 5252. Such sign shall contain no more than 3 colors. The sign shall not be illuminated from within. Sign lighting shall be extinguished during non-business hours.

a. One (1) sign per permitted use not exceeding 15 square feet in size shall be allowed.

5263. Standing signs. Signs identifying entrance and exit points may be erected; such sign shall not exceed 6 square feet in size. No other standing signs shall be permitted.

5270. Temporary Signs. Temporary signs which comply with these By-Laws shall be permitted (other than a temporary sign placed in a window).

5271. Temporary signs which do not comply with these By-Laws may be authorized by a special permit by the Board of Selectmen for private, nonprofit charitable organizations.

5272. Temporary signs pertaining to a candidate or question appearing on a Federal, State or Town Election ballot in the Town of Tewksbury shall require no sign permit and shall be allowed in all zoning districts. Such signs permitted by this By-Law shall:

a. only be permitted on private property.

b. be erected not closer than 15 feet to any lot line.

c. not exceed six (6) square feet in area per sign and shall not exceed in the aggregate twenty-four (24) square feet in area per lot.

d. the base of the sign shall not be higher than three (3) feet above ground level and the total height of the sign shall not be higher than six (6) feet in height.

e. be stationary and shall not be illuminated;

f. be erected no sooner than thirty (30) days prior to the date of the election and shall be removed within four (4) days after the election.

5280. Other Requirements.

5281. Billboards and non-accessory signs. All billboards and non-accessory signs, erected prior to June 1, 1965, shall be permitted provided no substantial changes are made in location, size or design of the structure.

5282. Nonconformance of accessory signs. Accessory signs legally erected before the adoption of this By-Law which do not conform to the provisions of this By-Law may continue to be maintained, provided, however, that no such sign shall be permitted if it is, after the adoption of this By-Law, enlarged, refaced or redesigned, except to conform to the requirements of this By-Law.

5283. Unsafe signs. When any sign become insecure, endanger of falling or otherwise unsafe or if any sign shall be unlawfully installed erected or maintained in violation of any of the provisions of law, the owner thereof or the person or firm maintaining same, shall upon written notice of the Building Commissioner, forthwith in the case of immediate danger and in any case within not more than ten (10) days make such sign conform to the provisions of this article or shall remove it. If within ten (10) days the order is not complied with, the Building Commissioner may remove such sign at the expense of the owner or lessee thereof.

5284. Derelict signs. Signs which become unsightly, incomplete, dilapidated, illegible or dangerous to the public safety, shall be condemned and removed by the Sign Officer. Costs may be recovered for such removal from the owner or lessor in the District Court.

5290. Appeal. A person aggrieved by an order or decision of the Sign Officer under this By-Law may appeal to the Board of Appeals.

5300. ENVIRONMENTAL PERFORMANCE STANDARDS

5310. General. In all zoning districts no use shall be permitted which would be offensive because of injurious or obnoxious noises, vibrations, smoke, gas, fumes, odors, dust, debris, or other objectionable features, which shall include truck box bodies, or be hazardous to the community on account of fire or explosions or any other cause. No permit shall be granted for any use which may prove injurious to the safety or general welfare of the neighborhood into which it proposes to locate or which may prove destructive of property values because of any excessive nuisance qualities.

5320. Stormwater Runoff. No stormwater runoff in excess of rates existing prior to new construction shall be allowed and no stormwater runoff in excess of rates existing prior to new construction shall be discharged onto a public way or into a public

drainage system unless there is, in the opinion of the Planning Board, sufficient capacity to handle the additional runoff. No point discharges to abutting properties will be created or expanded.

5330. Outdoor Lighting. All outdoor lighting, including lighting on the exterior of a building or lighting in parking areas, shall be aimed, located, designed, fitted and maintained to illuminate the task intended and to avoid glare and light spillover onto abutting and neighboring properties and roadways.

5331. Lighting Fixture Types.

Lighting fixture types are defined as follows:

Type 1. No light cutoff.

Type 2. Luminaire shielded such that peak candlepower is at an angle of 75 degrees or less from vertical, and essentially no light is emitted above the horizontal.

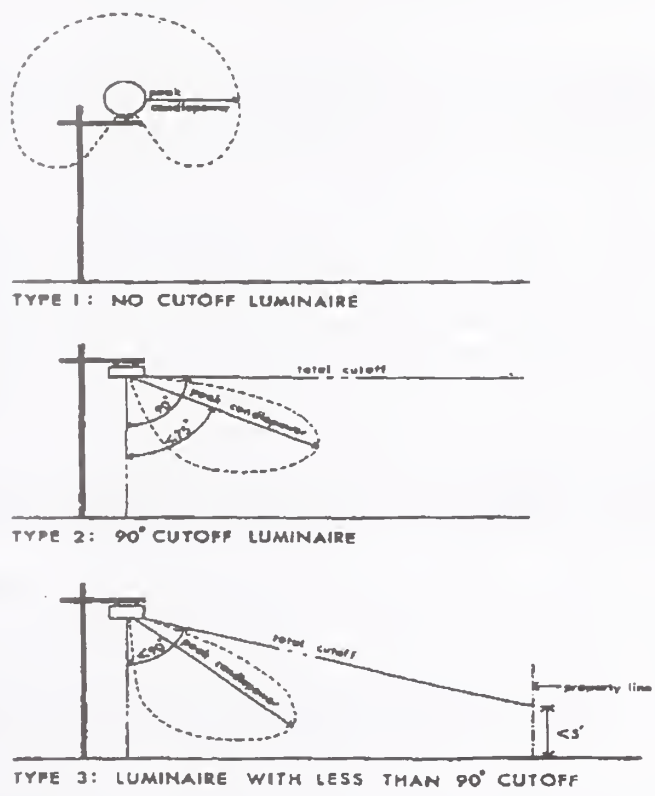
Type 3. Luminaire shielded such that total cutoff is at less than 90 degrees from vertical, and no light source is in direct view of an observer four (4) feet above the ground at any point off the premises.

ILLUSTRATION

TYPE 1: NO CUTOFF LUMINAIRE

TYPE 2: 90 DEGREE CUTOFF LUMINAIRE

TYPE 3: LUMINAIRE WITH LESS THAN 90 DEGREE CUTOFF



5332. Lighting limitations.

The following limitations shall be observed by all uses, unless during special permit proceedings the SPGA determines that it is inherently infeasible for that use (e.g. public outdoor recreation) to meet these standards, and that all reasonable efforts have been made to avoid glare or light overspill onto residential premises and roadways.

Maximum luminaire mounting height (feet)

| | Commercial & Industrial Uses | Residential Uses |
|----------------|---------------------------------|---------------------|
| Fixture Type 1 | 20 | 10 |
| Fixture Type 2 | 20 | 15 |
| Fixture Type 3 | 20 | 20 |

Maximum off-site overspill (foot-candles)

| | Commercial & Industrial Uses | Residential Uses |
|----------------|---------------------------------|---------------------|
| Fixture Type 1 | 0.3 | 0.2 |
| Fixture Type 2 | 1.0 | 0.3 |
| Fixture Type 3 | 3.0 | 0.5 |

5333. No flickering or flashing lights shall be permitted. Processes, such as arc welding, which create light flashes shall be confined within buildings or shielded to prevent either glare or flashing reflected from the sky.

5334. An exterior lighting plan is required in all applications for outdoor lighting, which plan shall include the location, mounting height, and orientation of luminaires, and sufficient technical information on the fixture to determine its type and resulting illumination levels.

5340. Noise. No use shall be permitted within the Town of Tewksbury which, by reason of excessive noise generated therefrom, would cause nuisance or hazard to persons or property, all in accordance with the provisions set forth in 310 CMR 7.10(1), which prohibit willful or negligent emissions of sound which may cause noise.

5350. Solid Waste Storage. Any accessory receptacle or structure with holding capacity of at least one hundred (100) cubic feet for temporary storage of solid or liquid waste materials, including garbage, rubbish, junk, discarded bulk items and similar waste items shall be located not less than ten (10) feet from any structure and shall be screened from all adjacent premises and streets from which it would otherwise be visible in accordance with this By-Law.

5360. Other.

5361. No vibration, odor, glare, or flashing shall be detectable without instruments at any lot line of a residential or institutional use.

5362. Cinders, dust, fumes, gases, odors, smoke, radiation, refuse or other waste materials shall be effectively confined to the premises and treated or disposed of in accordance with state, federal, and town laws and regulations.

5363. No process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in excess of ten (10) percent in line voltage off the premises.

5364. All activities involving, and all storage of, inflammable and explosive materials shall be provided with adequate safety devices against hazards from fire and explosion, and with adequate fire fighting and fire suppression equipment standard in this industry. Burning of waste materials in the open, contrary to state law is prohibited.

5365. All materials which may be edible by or attractive to rodents or insects shall, when stored in or outdoors, be stored in tightly closed containers.

5370. Erosion Control. Erosion control structures will be located no closer than 15 feet from an abutting property line and will be designed so as not to create point discharges onto abutting properties. Site design, materials, and construction processes shall be designed to avoid erosion damage, sedimentation, or uncontrolled surface water runoff by conformance with the following:

5371. Grading or construction which will result in final slopes of 15% or greater on 50% or more of lot area, or on 30,000 square feet or more on a single lot, even if less than half the lot area, shall be allowed only under special permit from the Planning Board, which shall be granted only upon demonstration that adequate provisions have been made to protect against erosion, soil instability, uncontrolled surface water runoff, or other environmental degradation. Applications and plans for such special permits shall be referred to the Conservation Commission for its advisory review.

5372. All such slopes exceeding 15% which result from site grading or construction activities shall either be covered with topsoil to a depth of 4 inches and planted with vegetative cover sufficient to prevent erosion or be retained by a wall constructed of masonry, reinforced concrete or treated pile or timber.

5373. No area or areas totaling 2 acres or more on any parcel or contiguous parcels in the same ownership shall have existing vegetation clear-stripped or be filled 6 inches or more so as to destroy existing vegetation unless in conjunction with agricultural activity, or unless necessarily incidental to construction on the premises under a currently valid building permit, or unless within streets which are either public or designated on an approved subdivision plan, or unless a special permit is

approved by the Planning Board on condition that runoff will be controlled, erosion avoided, and either a constructed surface or cover vegetation will be provided not later than the first full spring season immediately following completion of the stripping operation. No stripped area or areas which are allowed by special permit shall remain through the winter without a temporary cover of winter rye or similar plant material being provided for soil control, except in the case of agricultural activity where such temporary cover would be infeasible.

5374. The Building Commissioner may require the submission of all information from the building permit applicant or the landowner, in addition to that otherwise specified herein, necessary to ensure compliance with these requirements, including, if necessary, elevations of the subject property, description of vegetative cover, and the nature of impoundment basins proposed, if any.

5375. In granting a special permit hereunder, the Planning Board shall require a performance bond to ensure compliance with the requirements of this Section.

5376. Hillside areas, except naturally occurring ledge or bedrock outcroppings or ledge cuts, shall be retained with vegetative cover as follows:

| Average percentage slope | Minimum percentage of land to remain in vegetation |
|-----------------------------|---|
| 10.0 - 14.9 | 25 |
| 15.0 - 19.9 | 40 |
| 20.0 - 24.9 | 55 |
| 25.0 - 29.9 | 70 |
| 30.0 and above | 85 |

5400. LANDSCAPING, SCREENING, AND BUFFER REQUIREMENTS

5410. Open Space Landscaping Standards. Any landscaping on open space shall be designed to enhance the visual impact of the use upon the lot and adjacent property. Where appropriate, existing vegetation may be retained and used to satisfy the landscaping requirements. Open space areas shall be kept free of encroachment by all buildings, structures, storage areas or parking. Open space landscaping shall be maintained as open planted areas and used to (1) ensure buffers between properties, (2) provide landscaped areas between buildings, (3) minimize the visual effect of the bulk and height of buildings, structures, parking areas, lights or signs and (4) minimize the impact of the use property on land and water resources.

5411. In the Commercial and R40 District where a business or industrial use abuts a residential district, a landscape buffer up to a minimum of 20 feet in depth designed to mitigate the impact of the business or industrial use on abutting residential districts may be required by the Planning Board between the business or industrial use and the residential district; provided, however, that this provision shall not be construed to regulate lots across a public way from lots located in the R40 or R80 Zone.

5412. In the Heavy Industry District where a business or industrial use abuts a residential district, a landscape buffer of a minimum of 30 feet up to a maximum of 60 feet in depth designed to mitigate the impact of the business or industrial use on abutting residential districts shall be required by the Planning Board between the business or industrial use and the residential district; provided, however, that this provision shall not be construed to regulate lots across a public way from lots located in the R40 or R80 Zone.

5413. All parking lots and loading facilities shall be suitably landscaped to minimize their visual impact on the lot and upon adjacent property by the use of existing vegetation where appropriate and by the use of new trees, shrubs, walls, fences or other landscape elements. Any parking lot with more than 40 parking spaces shall include a landscaped area(s) shall not be less in area than five (5) percent of the total area of the parking lot and shall be in addition to any minimum open space required under Section 5. Landscaped area(s) shall be provided with a minimum width of at least 10 feet, curbing and shade trees of at least 12 feet in height or such other landscaping as may be required by the Planning Board.

5414. In the Heavy Industrial and MFD Districts,

- a. The required front yard setback shall be suitably landscaped and shall not be used for parking, storage or other purposes inconsistent with the landscaped effect;
- b. Each lot shall have access only at designated driveways; each lot may have not more than two (2) driveways and one (1) additional driveway for each 200 feet of street frontage above the minimum required; driveways shall **conform to Section 5171 of this Bylaw**;
- c. A strip not less than 30 feet wide in all side and rear yards where adjacent to any R40 or R80 zone shall be suitably landscaped and not used for parking or any use prohibited in such an adjacent district.

5420. Parking and Loading Area Design and Location for Nonresidential Facilities. The following regulations shall apply to all uses other than single and two family dwellings and municipal uses:

5421. No off-street parking area shall be located within ten (10) feet of a property line, within twenty (20) feet of a property line abutting a street right-of-way, or in any required yard adjacent to a residential or institutional use.

5422. Sidewalks are required within the site where necessary for safe pedestrian access and circulation. There shall be a marked pedestrian aisle at each entrance to the building served by the parking lot. Sidewalks are required along all public ways to which the site abuts and must be connected to the sidewalks and pedestrian isles within the site to provide safe access to entrance(s) to the building from the public way(s). Sidewalks must be constructed in accordance with the Planning Board's Subdivision Rules and Regulations.

5423. Parking spaces more than five hundred (500) feet from the building entrance they serve may not be counted towards fulfillment of parking requirements unless the Planning Board determines that circumstances justify this greater separation of parking from use.

5424. All required parking areas except those serving single-family residences shall be paved, unless exempted on special permit from the Planning Board for cases such as seasonal or periodic use where unpaved surfaces will not cause dust, erosion, hazard, or unsightly conditions.

5425. Parking areas shall not require vehicles to back onto a public way.

5426. Parking areas for ten (10) or more cars shall provide screening in accordance with Section 5000.

5427. No dead end aisle shall exceed five (5) parking spaces in width.

5428. Continuous curbing shall be provided to control access and drainage, unless the Planning Board determines that circumstances justify otherwise.

5429. Curb stops, planting strips or other means shall be provided to maintain a minimum usable sidewalk width of four feet or the minimum width required by the Americans with Disabilities Act.

5430. Parking Areas with Twenty or More Spaces. The following shall apply to entrances or exits to all parking areas with twenty (20) or more spaces:

5431. Entrance or exit center lines shall not fall within fifty (50) feet of an intersection of street sidelines or within one hundred fifty (150) feet of the centerline of any other parking area entrance or exit on the same side of the street, whether on the same parcel or not, if serving twenty (20) or more spaces. Uses shall arrange for shared egress if necessary to meet these requirements, unless the Planning Board determines that circumstances justify otherwise.

5432. Safe sight stopping distance shall be provided for the roadway posted speed limits.

5433. Street entrances shall be designed consistent with Massachusetts DPW Traffic Regulations, section 10A-9 or subsequent revisions.

5434. An appropriate area for snow storage after plowing shall be provided on the premises.

5440. Planted Area Requirements. Planted areas shall contain an appropriate mix of the following types of plants. Plant species shall be appropriate to proposed use, siting, soils, and other environmental conditions. Where the Planning Board determines that the planting of trees is impractical, the permit applicant may substitute shrubbery for trees.

5441. Shrubs and hedges shall be at least 2 feet in height at the time of planting, and have a spread of at least 18 inches.

5442. Grass is preferable to mulch where practical.

5443. Existing trees with a caliper of six inches (6") or more shall be preserved wherever feasible.

5444. Deciduous trees shall be at least two (2") inches in caliper as measured six (6") inches above the root ball at time of planting. Deciduous trees shall be expected to reach a height of 20 feet within ten years after planting. Evergreens shall be a minimum of eight (8') feet in height at the time of planting.

5450. Coordination with Site Plan Approval. The Planning Board may require a landscaping plan as part of the overall site plan for the premises. Such landscaping plan shall be at a scale sufficient to determine compliance with the specifications set forth in this section.

5460. Maintenance of Landscaped Areas. The owner of the property used for nonresidential purposes shall be responsible for the maintenance, repair and replacement of all landscaping materials installed in accordance with this section. All plant materials required by this chapter shall be maintained in a healthful condition. Dead limbs, refuse and debris shall be promptly removed. Dead plantings shall be replaced with new live plantings at the earliest appropriate season. Bark mulch and non-plant ground surface materials shall be maintained so as to control weed growth.

Amend and incorporate Section 7 Accessory Uses, Section 8 Non-Conforming Uses into new Section 3000 Use Regulations

Amend Section 9 District Boundaries and renumber as Section 2000 Districts

Renumber Section 10 Location of Automobile Services to Section 4211

Remove deleted sections 11, 12, 13 from 1985 Special Town Meeting

Create new Section 6000 Special Regulations

SECTION 6000. SPECIAL REGULATIONS

Renumber Section 4.10 Adult Entertainment District Special Permit as Section 6100. Adult Use Establishment and amend as follows:

6100. ADULT USE ESTABLISHMENTS

6110. Purpose. The purpose of this section is to regulate the location of the adult use establishments; to prevent the associated secondary effects of these establishments; and to protect and promote the general welfare, health and safety of the citizens of Tewksbury.

6120. Special Permit Required. The operation of an adult use establishment shall require a special permit from the Planning Board. The Planning Board may impose such conditions, safeguards and limitations as it deems appropriate to protect the neighborhood or the Town including, but not limited to:

6121. Screening of parking areas or other parts of the premises from adjoining premises or from the street by specified walls, fences, plantings or other devices;

6122. Modification of the exterior features or appearances of the structure(s);

6123. Limitation of size, number of occupants, method and time of operation and extent of facilities;

6124. Regulation of number, design and location of access drives, drive-up windows and other traffic features;

6125. Requirement for performance bonds or other security; and

6126. Installation and certification of mechanical or other devices to limit present or potential hazard to human health, safety, welfare or the environment resulting from smoke, odor, particulate matter, toxic matter, glare, noise, vibration or any other objectionable impact generated by the use of land.

6130. Conditions. Development or operation of adult use establishments shall meet the following conditions:

6131. Adult use establishments shall be restricted to operation within the heavy industry district only.

6132. There shall be no more than

a. one (1) adult bookstore permit, adult video permit or adult paraphernalia permit granted for each 15,000 residents of the Town as listed in the last state census; prior to a second adult bookstore permit being issued there shall be 30,000 residents of the Town as listed in the last state census; or

b. one adult motion picture theater permit granted for each 24,000 residents of the Town as listed in the last federal census; or

c. one adult cabaret permit for each 24,000 resident of the Town as listed in the last federal census.

6133. No adult use establishment permit shall be allowed to display for advertisements or other purpose any signs, placards other like materials to the general public on the exterior of the building or on the interior, through glass or other like transparent.

6134. No adult use establishment permit shall be granted if such proposed location is within 1320 feet of another presently existing or permitted adult use establishment.

6135. No adult use establishment permit shall be granted if such proposed location is within 1320 feet of an establishment licensed under M.G.L. c. 138, s. 12; a public school or playground; a municipal building or use; a cemetery; a commercial amusement center or park a hospital or nursing home; a private or religious, sectarian or denominational school, building or use including churches, parish houses and rectories.

6136. No permit shall be granted for an adult use establishment in an area otherwise properly zoned if the specific location is within 1000 foot radius of an interstate highway ramp where said ramp intersects with a town or state owned roadway.

6137. No permit shall be granted for an adult use establishment in an area otherwise properly zoned if the specific location is within a 1320 foot radius of an R40, R80, MFD or MFD/55 District.

6138. No special permit for an adult use establishment shall be granted to any person convicted of violating the provisions of M.G.L. c. 119, s. 63 or M.G.L. c. 272, s. 28.

6139. The hours in which adult use establishments are open to the public shall be limited as follows: adult bookstore, adult paraphernalia store, adult video store or similar adult use establishment between the hours of 9:00 A.M. and 9:00 P.M., adult motion picture theater, adult cabaret club similar adult use establishment between the hours of 4:00 P.M. and 12:00 Midnight.

6140. Design Standards. Development or operation of adult use establishments shall meet the following design standards:

6141. The yard space, building height and any other provisions of the Zoning By-Laws applicable to the Commercial districts shall apply to lots within the Adult Entertainment District unless contrary to the provisions contained in this section.

6142. A landscaped buffer which shall be a minimum of 60 feet in depth designed to mitigate the impact of the adult use establishment on abutting properties shall be required by the Planning Board between the use and the adjacent properties.

6143. No adult use establishment may have any flashing lights visible from outside the establishment or theater.

6150. Signs.

6151. No adult use establishment shall be eligible to apply for a special permit requesting a freestanding accessory sign.

6152. Adult use advertisement signs may only be located on a building in which there is operating an adult use establishment pursuant to a special permit issue by the Planning Board.

6153. The highest point on any adult use advertisement sign may be no higher than twenty-four feet above ground level.

6154. No adult use advertisement sign may contain any moving, flashing or animated lights, or visible moving or movable parts.

6160. Regulations and Fees. The Planning Board shall adopt and, from time to time, amend regulations, not inconsistent with the provisions of this By-Law or Chapter 40A of the Massachusetts General Laws or other applicable provision of the General Laws, and shall file a copy of said regulations with the Town Clerk. Such regulations shall prescribe as a minimum the size, form, contents, style and number of copies of plans and specification, the town boards or agencies from which the Planning Board shall request permits. The Planning Board may adopt, and from time to time, amend fees sufficient to cover reasonable costs incurred by the town in the review and administration of the Special Permit.

6170. Mandatory Findings by the Planning Board. The Planning Board shall not issue a special permit unless, without exception, it finds that:

6171. the proposed use is in harmony with the purpose and intent of this By-Law.

6172. the proposed use complies with all applicable requirements of this By-Law.

6173. the proposed use will not prove injurious to the safety or general welfare of the neighborhood into which it proposes to locate nor will the proposed use prove destructive of property values.

| |
|---|
| Renumber Section 4.6.10 Transitional Zone to the Section 6200 Transitional District Regulations as follows: |
|---|

6200. TRANSITIONAL DISTRICT REGULATIONS

6210. Hours of Operation. Hours of business within the zone shall be from no earlier than 7:00 AM to no later than 9:00 PM.

6220. Structures. It is the intent of these regulations that exiting structures located in the Transitional District shall remain residential in appearance regardless of the use, and that new structures shall be residential in appearance regardless of the use.

6230. Pavement. Any pavement within ten feet of any lot line requires site plan approval from the Planning Board with attention to protecting abutting property.

6240. Parking. Parking areas shall be limited to back yards or side yards, and only if such parking is screened from view from the front and side. No parking in the front yard may be permitted.

Create new Section 7000 Special Residential Regulations as follows:

SECTION 7000. SPECIAL RESIDENTIAL REGULATIONS

Renumber Section 4.7 Multiple Family District Special Permit as Section 7100 Multiple Family Dwellings in the MFD and amend as follows:

7100. MULTIPLE FAMILY DWELLINGS IN THE MFD.

7110. Purpose. This section is intended to regulate the development of multiple family dwellings by establishing eligibility requirements and reasonable conditions for construction in the MFD. This section is not intended to supersede, modify or conflict with the powers and duties delegated to the Planning Board pursuant to the Subdivision Control Law, M.G.L. c. 41, ss: 81K - 81GG.

7120. Special Permit Required. Multiple-family dwellings will be permitted only upon the issuance of a special permit by the Planning Board. The following eligibility standards apply:

7121. Where proposed for multiple family dwellings, the site shall have a minimum lot area of 4 acres with the 150 feet of frontage on a public way. By special permit, the Planning Board may vary the requirement of 150 feet of frontage on a public way to not less than 40 feet of frontage on a public way provided that a suitable private access road into the site area can be constructed with the reduced frontage. These provisions shall not apply to the development of single-family dwellings.

7130. Application. An application for a special permit shall be filed in accordance with the regulations set forth in Section 9300.

7140. Parking. Provision shall be made for not less than two (2) parking spaces per unit, one (1) of which shall be completely enclosed. Detached parking garages will be permitted and designed so as to complement the building design and site layout, but shall not be constructed within the setback areas.

7141. Enclosed parking spaces shall be 10 feet in width and 20 feet in length; unenclosed parking spaces shall be not less than 9 feet wide and 18.5 feet in length.

7142. Additional enclosed or unenclosed parking spaces shall be provided for guests and recreational areas as indicated below:

| | |
|-------------------------------------|--|
| Guest | 1 parking space per two dwelling units |
| Tennis Court | 2 parking spaces per court |
| Recreation buildings/swimming pools | 1 parking space per 10 dwelling units, but not less than 10 parking spaces |

7150. Design Standards. A multiple family dwelling shall meet the following standards:

7151. Not more than 100 dwelling units shall be authorized by special permit. Commercial and industrial uses are prohibited.

7152. All lighting shall be directed away from adjoining property.

7153. All utilities shall be installed underground using standards promulgated by the Planning, Health, Building and DPW Departments of the Town of Tewksbury, and sewage shall be disposed of by means of adequate connections as required by State and local Departments and Board of Health.

7154. There shall not be more than a maximum of six (6) units per acre nor more than 2 bedrooms per unit, nor more than twelve bedrooms per acre. No more than 5% of the total MFD site area within the wetlands and/or flood plain shall be used in calculating the density requirements of site. If more than 5% of the total MFD site area is in wetlands and/or flood plains that exceeds the 5% requirement shall be deleted from the area used to determine density requirements.

7155. The maximum coverage of the site available for use by all buildings, including garages, and carports shall not exceed 30 percent of the site area.

7156. The maximum building height shall be 35 feet measured from base floor level.

7157. Any roadway/driveway located in an area that is within 50 feet of a property line shall be shielded from the property line by a planting of shielding type trees satisfactory to the Planning Board between the roadway and property line for the

entire length of the roadway within the 50 foot area. This planting shall be in addition to any existing vegetation between the property line and the proposed roadway and shall be placed a maximum of 10 feet apart.

7158. Walkways, tables, benches, flowering bushes/trees may be allowed in 50 to 100 foot buffer areas at the discretion of the Planning Board to improve the aesthetics of the site area.

7159. Television, radio and communications services shall be supplied by a central system with underground connections.

7160. Distance Parameters. The Planning Board shall determine the distance between the buildings that are structurally connected together by roofing, fencing or other means but not enclosed or heated. The distance parameters will be determined on the aesthetics, created by the design, practicality of design, and the effect on the development by the design. The Planning Board shall determine any distance parameters between buildings not covered under this Zoning By-Law. Within the site area the following distance parameters shall apply:

7161. Any building abutting the main roadway within the site development shall have a minimum distance of 17 feet from the closes exterior protruding surface of the building (steps, decks, balconies) to the edge of the traveled way segment of the roadway. (Berm is not considered part of a traveled way).

7162. Any building abutting the main roadway within the site development with parking facilities between the main roadway and the building shall have a minimum distance of 45 feet from the closest exterior protruding surface of the building (decks, balconies, steps) to the edge of the traveled way segment of the roadway. There shall be a minimum 2 foot landscaped buffer strip between the edge of the traveled way and the parking area with allowances for drive entrances and exits.

7163. No proposed structure shall be located nearer than 50 feet from any public way.

7164. Separate, enclosed garages, assigned to a specific building may be located no closer than 30 feet from the closest points on the buildings (decks, balconies, steps) to the closest entrance to the garage.

7165. No building within the site area shall be constructed within 50 feet of any perimeter border of site or 100 feet from any public way providing access to the site.

7166. The minimum distance between buildings on site not structurally connected together shall be as listed below:

NO PARKING AND/OR ROADWAY BETWEEN BUILDINGS

| | |
|---|---------|
| Between the side of one building and the side of another building | 25 feet |
| Between the side of one building and the rear of another building | 30 feet |
| Between the side of one building and the front of another building | 40 feet |
| Between the front of one building and the front of another building | 60 feet |
| Between the front of one building and the rear of another building | 60 feet |
| Between the rear of one building and the rear of another building | 60 feet |

PARKING AND/OR ROADWAY BETWEEN BUILDINGS

| | |
|--|----------|
| No parking allowed between the side of one building and the side of another building | |
| Between the side of one building and the rear of another building | 58 feet |
| Between the side of one building and the front of another building | 70 feet |
| Between the front of one building and the front of another building | 100 feet |
| Between the front of one building and the rear of another building | 80 feet |
| Between the rear of one building and the rear of another building | 58 feet |

7170. Special Permit to Vary Requirements. The Planning Board by special permit may vary the distance parameters if in the opinion of the Planning Board the site development plan would be improved.

7180. Open Space.

7181. Suitable recreational facilities shall be provided on the required open space. Not less than 60% of the upland area of the site available for use shall remain free from structures, parking and drives, and such area shall be left either in its natural state, attractively landscaped, or developed for uncovered recreational facilities.

7182. The owner or owners shall be responsible for the maintenance of common areas, including but not limited to snow plowing within the site limits and rubbish disposal. No outside burning of rubbish or inside incineration shall be permitted.

Renumber Section 4.12 Multiple Family/55 District as Section 7200 Multiple Family Dwellings in the MFD/55 and amend as follows:

7200. MULTIPLE FAMILY DWELLINGS IN THE MFD/55.

7210. Purpose. This section is intended to regulate the development of multiple family dwellings by establishing eligibility requirements and reasonable conditions for construction in the MFD/55. This section is not intended to supersede, modify or conflict with the powers and duties delegated to the Planning Board pursuant to the Subdivision Control Law, M.G.L. c. 41, s. 81K - 81GG.

7220. Special permit required. Multiple-family dwellings will be permitted only upon the issuance of a special permit by the Planning Board. The following eligibility standards apply:

7221. Where proposed for multiple family dwellings, the site shall have a minimum lot area of 12 acres with the 150 feet of frontage on a public way. By special permit, the Planning Board may vary the requirement of 150 feet of frontage on a public way to not less than 40 feet of frontage on a public way provided that a suitable private access road into the site area can be constructed with the reduced frontage. These provisions shall not apply to the development of single-family dwellings.

7222. Such multiple family dwellings for persons over the age of 55 may also be authorized by special permit in the Commercial District and the Multiple Family District.

7230. Application. An application for a special permit shall be filed in accordance with the regulations set forth in Section 9300.

7240. Parking. Provision shall be made for not less than two (2) parking spaces per unit, one (1) of which shall be completely enclosed. Detached parking garages will be permitted and designed so as to complement the building design and site layout, but shall not be constructed within the setback areas.

7241. Enclosed parking spaces shall be 10 feet in width and 20 feet in length; unenclosed parking spaces shall be not less than 9 feet wide and 18.5 feet in length.

7242. Additional enclosed or unenclosed parking spaces shall be provided for guests and recreational areas as indicated below:

| | |
|-------------------------------------|--|
| Guest | 1 parking space per two dwelling units |
| Tennis Court | 2 parking spaces per court |
| Recreation buildings/swimming pools | 1 parking space per 10 dwelling units, but not less than 10 parking spaces |

7250. Design Standards. A multiple family dwelling shall meet the following standards:

7251. Not more than 150 dwelling units shall be authorized by special permit. Commercial and industrial uses are prohibited.

7252. Outdoor lighting shall be in compliance with Section 5330 of this Bylaw.

7253. All utilities shall be installed underground using standards promulgated by the Planning, Health, Building and Public Works Departments of the Town of Tewksbury, and sewage shall be disposed of by means of adequate connections as required by State and local Departments and Board of Health.

7254. There shall not be more than a maximum of six (6) units per acre nor more than 2 bedrooms per unit, nor more than twelve bedrooms per acre. No more than 5% of the total MFD/55 site area within the wetlands and/or flood plain shall be used in calculating the density requirements of site. If more than 5% of the total MFD/55 site area is in wetlands and/or flood plains that exceeds the 5% requirement shall be deleted from the area used to determine density requirements.

7255. The maximum coverage of the site available for use by all buildings, including garages, and carports shall not exceed 30 percent of the site area. Any structure that exceeds three (3) stories in height shall be required to provide vertical access by means of an elevator. Vertical Access or "elevator" shall be applicable only to Garden Style Units.

7256. Reserved.

7257. Any roadway/driveway located in an area that is within 50 feet of a property line shall be shielded from the property line by a planting of shielding type trees satisfactory to the Planning Board between the roadway and property line for the entire length of the roadway within the 50 foot area. This planting shall be in addition to any existing vegetation between the property line and the proposed roadway and shall be placed a maximum of 10 feet apart.

7258. Walkways, tables, benches, flowering bushes/trees may be allowed in 50 to 100 foot buffer areas at the discretion of the Planning Board to improve the aesthetics of the site area.

7259. Television, radio and communications services shall be supplied by a central system with underground connections.

7260. Distance Parameters. The Planning Board shall determine the distance between the buildings that are structurally connected together by roofing, fencing or other means but not enclosed or heated. The distance parameters will be determined on the aesthetics, created by the design, practicality of design, and the effect on the development by the design. The Planning Board shall determine any distance parameters between buildings not covered under this Zoning By-Law. Within the site area the following distance parameters shall apply:

7261. Any building abutting the main roadway within the site development shall have a minimum distance of 17 feet from the closes exterior protruding surface of the building (steps, decks, balconies) to the edge of the traveled way segment of the roadway. (Berm is not considered part of a traveled way).

7262. Any building abutting the main roadway within the site development with parking facilities between the main roadway and the building shall have a minimum distance of 45 feet from the closest exterior protruding surface of the building (decks, balconies, steps) to the edge of the traveled way segment of the roadway. There shall be a minimum 2 foot landscaped buffer strip between the edge of the traveled way and the parking area with allowances for drive entrances and exits.

7263. No proposed structure shall be located nearer than 50 feet from any public way.

7264. Separate, enclosed garages, assigned to a specific building may be located no closer than 30 feet from the closest points on the buildings (decks, balconies, steps) to the closest entrance to the garage.

7265. No building within the site area shall be constructed within 50 feet of any perimeter border of site or 100 feet from any public way providing access to the site.

7266. The minimum distance between buildings on site not structurally connected together shall be as listed below:

NO PARKING AND/OR ROADWAY BETWEEN BUILDINGS

| | |
|---|---------|
| Between the side of one building and the side of another building | 25 feet |
| Between the side of one building and the rear of another building | 30 feet |
| Between the side of one building and the front of another building | 40 feet |
| Between the front of one building and the front of another building | 60 feet |
| Between the front of one building and the rear of another building | 60 feet |
| Between the rear of one building and the rear of another building | 60 feet |

PARKING AND/OR ROADWAY BETWEEN BUILDINGS

| | |
|--|----------|
| No parking allowed between the side of one building and the side of another building | |
| Between the side of one building and the rear of another building | 58 feet |
| Between the side of one building and the front of another building | 70 feet |
| Between the front of one building and the front of another building | 100 feet |
| Between the front of one building and the rear of another building | 80 feet |
| Between the rear of one building and the rear of another building | 58 feet |

7270. Special Permit to Vary Requirements. The Planning Board by special permit may vary the distance parameters and/or maximum building height, if in the opinion of the Planning Board the site development plan would be improved.

7280. Open Space.

7281. Suitable recreational facilities shall be provided on the required open space. Not less than 60% of the total upland area of the site available for use shall remain free from structures, parking and drives, and such area shall be left either in its natural state, attractively landscaped, or developed for uncovered recreational facilities.

7282. The owner or owners shall be responsible for the maintenance of common areas, including but not limited to snow plowing within the site limits and rubbish disposal. No outside burning of rubbish or inside incineration shall be permitted.

7283. Those portions of the undeveloped land dedicated to recreational use, open space, wetlands and flood plain may, notwithstanding any provision of this By-Law to the contrary, may be utilized as a public or private golf course. The term "golf course" shall encompass all uses and structures customarily incidental to such use; provided, however, use and structure shall not be deemed incidental to golf if it has function separate and independent from said golf course, provided further, such use and structure shall be in operation only during the period of time that the golf course is otherwise operable. In any case where such land shall be under the control of a corporation, trust or unincorporated association, whose members or beneficiaries are the unit owners, such organization may lease such undeveloped land for a term of years to a person or entity for the development, use, oversight and maintenance of such land for use as a golf course and such accessory use as is incidental thereto.

7284. A minimum of 1,000 square feet per unit shall be dedicated to recreational use not otherwise utilized as a public golf course. Such area is to be no less than 30 feet in width and shall be configured as a buffer between the golf course and such recreational uses.

Renumber Section 4.8 Cluster Development Special Permit as Section 7300 Cluster Development and amend as follows:

7300. CLUSTER DEVELOPMENT

7310. Purpose. The purpose of cluster development is to encourage the preservation of open space for conservation and recreation uses; to promote the better utilization of land in harmony with its natural features and with the general intent of the Zoning By-Law through a greater flexibility in design; to allow for a more efficient provision of municipal services.

7320. Special Permit Required. The Planning Board may grant a special permit for land to be subdivided as a cluster development, subject to the requirements and conditions set forth herein. The application for a special permit for a cluster development shall be, in addition to any other documents required by the Planning Board, accompanied by a preliminary subdivision plan. Plans for cluster development must also show the following:

- 7321.** soil characteristics as shown on Soil Conservation Service Maps;
- 7322.** existing vegetation and the proposed landscaping;
- 7323.** use of land which is to be reserved for recreation, conservation or park use, including any structures therein and the proposed ownership of all unsubdivided land.

Copies of the preliminary subdivision plan and all additional information as required above shall also be submitted to the Tewksbury Department of Public Works, the Tewksbury Board of Health and the Tewksbury Conservation Commission.

7330. Number of Lots Permitted. The total number of building lots in a cluster development shall be no greater the number of building lots that would otherwise be allowed in the district where the land is located as specified in this By-Law.

7340. Dimensional Requirements. The following standards shall be observed in all cluster developments. The Planning Board may, in appropriate cases, impose further restrictions upon the tract or parts thereof, as a condition to the granting of a special permit.

| | |
|---------------------------|---|
| Area | No less than 20,000 square feet per building lot |
| Frontage | Not less than 75 feet on a public way |
| Building Line | Not less than 100 feet |
| Front Setback | Not less than 25 feet |
| Minimum Open Space Access | 20 feet in width shall be provided to each parcel of unsubdivided land in the subdivision. Such access shall be identified in a manner as specified by the Planning Board in the conditions of the special permit |
| Lot Shape and Perimeter | The lot shape and perimeter requirement set forth herein shall not apply to cluster developments. The Planning Board shall have the authority to require changes in lot shape and perimeter as required or deemed necessary to maintain the quality of the development. |

| | |
|---|---|
| Minimum percent uplands | No new lot created in a cluster development shall have less than 75% contiguous uplands as defined by M.G.L. c. 131, s. 40. Proposed structures shall be located on said uplands. |
| All Other Lot Coverage and Dimensional Requirements | As per the standards prescribed for that district as set forth herein |

7350. Conditions. The following conditions shall apply to cluster developments.

7351. The total area of the subdivision shall not be less than 12 acres.

7352. The unsubdivided land when added to the building lots shall be at least equal in area to the land area required by this By-Law for the total number of units or buildings contemplated in the development.

7353. At least 30% of the unsubdivided land shall not be subject to the provisions of M.G.L. Chapter 131, Section 40, the Wetlands Protection Act, or have slopes in excess of 25%.

7354. In addition to the conditions set forth in 7351, 7352 and 7353, one or more of the following conditions must be met:

- a. The total area of the unsubdivided land shall be no less than 8 acres;
- b. There shall be a minimum of 4 acres of unsubdivided land that is not subject to M.G.L. Chapter 131, Section 40, nor have slopes in excess of 25%;
- c. The unsubdivided land shall be contiguous to existing land that is dedicated to open space, recreation or conservation use;
- d. The unsubdivided land shall be part of the shoreline of and provide access to the Shawsheen River, the Merrimack River, Ames Pond, Round Pond or Long Pond;
- e. The unsubdivided land is contiguous to an existing or proposed recharge area for the Tewksbury municipal water supply;
- f. The unsubdivided land is above the elevation of 300 feet on Ames Hill.

7360. Use of Unsubdivided Land. The unsubdivided land within the subdivision shall be used for conservation, outdoor recreation or park purposes. This section 7360 shall not apply to any cluster development approved prior to May 1993.

7361. The unsubdivided land shall be in one (1) or more parcels of size and shape appropriate for its intended use. However, no parcel less than 3 acres shall remain unbuilt upon except that a maximum of 20% of such land may be devoted to paved areas or structures used as an accessory to active outdoor recreation and consistent with the open space uses of land.

7362. Reserved.

7370. Ownership of Unsubdivided Land. The unsubdivided land shall either be conveyed to the Town of Tewksbury and accepted by it for park, conservation or open space use, or be conveyed to a non-profit organization, the principal purpose of which is the conservation of open space, or to be conveyed to a corporation or trust owned or to be owned by the owners of lots within the subdivision. In any case, where such land is not conveyed to the Town of Tewksbury, a restriction enforceable by the Town of Tewksbury shall be recorded providing that such land shall be kept in its open and natural state and not built upon for residential use or developed for an accessory use except as provided for herein. In order to insure that the corporation, non-profit organization or trust will properly maintain the unsubdivided land or open space, an instrument(s) shall be recorded at the Middlesex North Registry of Deeds which shall provide as a minimum the following requirements:

7371. A legal description of the unsubdivided land or open space;

7372. A statement of the purposes for which the unsubdivided land or open space is intended to be used and the restrictions on its use and alienation;

7373. The type and name of the corporation, non-profit organization, or trust which will own, manage and maintain the unsubdivided land or open space;

7374. The ownership or beneficial interest in the corporation, non-profit organization or trust of each owner of a dwelling to which it relates and may not be conveyed or encumbered separately therefrom;

7375. Provision for the number, term of office, and the manner of election to office and the filling of vacancies in, the office of directors and/or officers in the corporation or non-profit organization or trustees of the trust;

7376. Procedures for the conduct of the affairs and business of the corporation, non-profit organization or trust, including provisions for the calling and holding of meetings of members and directors and/or officers of the corporation or non-profit organization of beneficiaries and trustees of the trust and provision for quorum and voting requirements for action to be taken. Each owner of a dwelling shall have voting rights proportional to his ownership or beneficial interest in the corporation, non-profit organization or trust;

7377. Provision for the management, maintenance, operation improvement and repair of the unsubdivided land or open space and facilities therein, including provisions for obtaining and maintaining adequate insurance and levying and collecting from the dwelling owners common charges to pay for expenses associated with the subdivided land or open space, including real estate taxes. It shall be provided that common charges are to be allocated among the dwelling owners in proportion to their ownership or beneficial interests in the corporation, non-profit organization or trust, and that each dwelling owner's share of the common charge shall be a lien against his real estate in the cluster development, which shall have priority over all other liens with the exception of municipal liens and first mortgages of record;

7378. The method by which such instrument(s) may be amended.

7379. Nonprofit Organization. A non-profit organization for the purpose of this by-law shall be defined as an organization incorporated for the purpose of land conservation and shall meet all of the following criteria:

- a. have been incorporated as a non-profit organization for a minimum of five years.
- b. have adopted procedures and guidelines for open space or conservation land management which shall be submitted to the Planning Board and Conservation Commission for review.
- c. have existing open space or conservation land holdings which shall total a minimum of 100 acres within the Commonwealth of Massachusetts.

7380. Action of the Planning Board. In granting a special permit, the Planning Board may impose additional conditions and safeguards in order to protect the health, safety and welfare of the inhabitants of the neighborhood and the Town of Tewksbury. In determining whether to grant a special permit for a proposed cluster development which meets the minimum standards stated herein, the Planning Board shall consider:

7381. The general objectives of cluster developments.

7382. The existing and probable future development of surrounding areas.

7383. The appropriateness of the proposed development in relation to topography, soils and other characteristics of the tract in question.

7384. The recommendations of the Department of Public Works, the Board of Health and the Conservation Commission.

7385. The Planning Board shall not grant a special permit for the subdivision of land into lots having reduced area and frontage, as provided in this section, if it appears that because of soil characteristics, drainage, traffic or other conditions, the granting of such a permit would be detrimental to the health, safety or welfare of the neighborhood or Town or inconsistent with the intent of cluster development.

7390. Other Requirements.

7391. Nothing contained herein shall in any way exempt a proposed subdivision from compliance with other sections of the Zoning By-Law (except as specifically stated in this section), the Subdivision Rules and Regulations of the Town of Tewksbury, regulations of the Tewksbury **Department** of Public Works, Tewksbury Board of Health, the Tewksbury Conservation Commission, or any rules and regulations issued by the Commonwealth of Massachusetts.

7392. Any change in the number of lots, the lines of the streets, or any significant changes in the reserved open spaces, its ownership or use or any other conditions stated in the original special permit shall require a new special permit issued in accordance with the provisions in this By-Law.

Renumber Section 4.9 Community Development District and Site Plan Review as Section 7400 Community Development District and amend as follows:

7400. COMMUNITY DEVELOPMENT DISTRICT

7410. Purpose. The purpose of the Community Development District (CDD) is to provide an alternative and supplement to residential, institutional and public elderly housing in Tewksbury in a manner that encourages the preservation of open space and is consistent with the scale of residential development in the community. The Town has determined that a necessity exists for the adoption of a Community Development District for the benefit of and for the general welfare of the community.

7420. Applicability. A Community Development Project (CDP) is permitted in a CDD. Properties within the CDD must apply to the Planning Board for site plan approval to construct a CDP consistent with the guidelines set forth in this section 7400 and all other requirements set forth in Section 9400.

7430. CDP Requirements. Only those CDP which meet the following requirements shall be permitted:

7431. Minimum Area of Development: The total area of each CDD development lot shall not be less than twelve acres of contiguous property.

7432. Development Capacity: The maximum allowable development capacity for units devoted to Independent Living Facility use shall be 65% of six (6) dwelling units per acre of the development area. The remaining 35% of the development capacity of six (6) dwelling units per acre shall be used for Assisted Living Facility/ Long Term Care Facility. There shall not be more than a maximum of six (6) units per acre nor more than 2 bedrooms per unit, nor more than twelve bedrooms per acre. No more than ten percent of the project area within the wetland and/or flood plain shall be used in calculating the density requirements of the site.

If the Planning Board makes findings of fact it will benefit the residents or the Town that to increase the minimum requirements of open space and/or assist a greater proportion of elderly Tewksbury residents, the requirements of this paragraph, Section 7432, may be waived, not to exceed a maximum increase in total Development Capacity of ten percent (10%). The independent living facility units to assisted living facility units ratio shall remain 65/35.

7433. Minimum side and rear setback: No building or structures shall be located within fifty (50) feet of the perimeter legal lot lines of a Community Development District. (See exemptions and requirements, 7433 a.)

a. **Fences and Gates Exempt and Required:** Fences and gates shall be required around and set back no less than 10 feet from the entire perimeter of the CDP site area. Location, style and landscaping of the fences and gates are subject to Planning Board approval, for the protection of the CDP residents. Entrance gate(s) shall be accessible by means of Board approved security system.

7434. Living Space requirement: No living space shall be located below the finished grade contiguous to a dwelling.

7435. Maximum Lot Area Coverage: Not more than thirty (30) percent of the total lot area may be devoted to buildings or structures. This requirement shall not apply to at grade parking areas but shall apply to parking above grade. If the Planning Board makes findings of fact that it will benefit residents to provide enclosed parking areas for residents of the development area and/or for every one percent increase in non-wetlands as defined in M.G.L. c. 131, s.40 and open space that is not part of any set-backs above the requirements set forth herein, the Planning Board may waive or modify the requirements of this paragraph so not more than thirty-five (35) percent of the total lot area may be devoted to buildings or structures.

7440. Parking Requirements. The following minimum parking standards shall be met; provided, however, that if the Planning Board makes finding of fact that the clustering of structures around parking areas will be more convenient to travel from the parking area to the structures and will preserve open space or determines parking in an adjacent area across the street may serve staff and visitor parking needs, the Planning Board may waive or modify these parking requirements.

7441. Adult Day Care facilities and/or structures shall provide a minimum of one parking space per each employee on the largest shift plus one parking space for the number of clients the facility is licensed to serve divided by the number five (5), and rounded to the next highest whole number.

7442. Assisted Living and Long Term Care facilities and/or structures shall provide a minimum of one parking space for each employee on the largest shift plus one space for each visiting staff person plus one parking space for the number of residents the facility is licensed to serve divided by the number two (2) and rounded to the next highest whole number.

7443. Independent Living facilities and/or structures shall comply with the parking requirements of Section 5100 of the Zoning By-Law.

7444. Requirements for curbs within the parking area shall be determined by Planning Board rules and regulations.

7450. Open Space. A minimum of twenty-five percent (25%) of the total site area shall be set aside for open space as defined by this By-Law and shall not include any parking area except as described above. Open Space shall be used as permitted in Section 7300 of the Zoning By-Law, and further shall be subject to conservation restrictions running with the land and recorded at the Middlesex North District Registry of Deeds and/or the Land Court.

7460. Permitted Uses. Each CDP must contain one or more of the following uses: Adult Day Care Facility; Independent Living Facility; Assisted Living Facility; Long Term Care Facility.

7461. Reserved.

7462. Recreational facilities, dining rooms for on-premises use only, kitchen, swimming pools, meeting and function rooms administrative offices and medical facilities for diagnosis and out-patient services are permitted for residents of the CDP only.

7463. Suitable recreational space with a minimum cost of one percent of the fair market value of each unit of the Independent Living Facility and one-half of one percent of the construction cost for any Assisted Living and/or any Long-Term Care Facility shall be provided. The best effort shall be made to determine the fair market value of a unit and construction cost. Recreation facilities shall include a clubhouse and no occupancy permit shall be granted until the recreational facilities are completed.

7464. Within a clubhouse facility or structure, up to fifty percent of the clubhouse facility or structure may be allocated to use as an Adult Day Care facility during the hours of 7:00 A.M. to 6:00 P.M.

7470. Accessory Uses. CDPs may also provide optional accessory use services on site including but not limited to local transportation, barber/beauty services, sundries for personal consumption, and other amenities, provided:

7471. such uses serve primarily the residents of the development;

7472. such uses are conducted within and may be entered only from a principal building;

7473. there is no external evidence of such uses; and

7474. the appearance and character of commercial uses are compatible with the project.

7475. Upon approval by the Board, CDP may include Accessory Retail uses. The total amount of gross building floor area used for Accessory Retail uses shall not exceed five percent (5%) of the total gross building floor area for the entire CDP, or 10,000 square feet, whichever is greater.

7476. Upon approval by the Board, a CDP may include Accessory Restaurant uses. The total amount of gross building floor area used for Accessory Restaurant uses shall not exceed five percent (5%) of the total gross building area for the entire CDP, and shall contain a maximum of 100 seats.

7477. Upon approval by the Board, a CDP also may include a Community Center or Community Building(s) intended for use and benefit of the CDP residents, provided that such use(s) shall occupy not more than ten percent (10%) of the gross building floor area constructed within the approved CDP, and only if the Board finds that adequate assurances and covenants exist, to ensure proper maintenance of such facilities by the residents, owners or their agents, and that the residents, owners or their agents will bear all expenses related thereto.

7478. Upon approval by the Board, a CDP also may include an Adult Day Care facility intended for use and benefit of the CDP residents, provided that such use shall occupy not more than ten percent (10%) of the gross building floor area constructed within the approved CDP, and only if the Board finds that adequate assurances and covenants exist, to ensure proper maintenance of such facilities by the residents, owners or their agents, and that the residents, owners or their agents will bear all expenses related thereto.

7480. Rules and Regulations. The Planning Board shall adopt and from time to time amend, rules and regulations not inconsistent with the provisions of this Section or M.G.L. c. 40A or other applicable provision of the General laws, and shall file a copy of said regulations with the Town Clerk. Such rules shall prescribe as a minimum the size, form, contents, style and numbers of copies of plans and specifications, the Town boards or agencies from which the Planning Board shall request written reports, and the procedure of submission and approval of a CDP.

Create a new Section 8000. Overlay Districts

SECTION 8000. OVERLAY DISTRICTS

Delete the existing Section 16 Floodplain District and replace with the following Section 8100 Floodplain District:

8100. FLOODPLAIN DISTRICT

8110. Statement of Purpose. The purposes of the Floodplain District are to:

1. Ensure public safety through reducing the threats to life and personal injury.
2. Eliminate new hazards to emergency response officials;
3. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
4. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
5. Eliminate costs associated with the response and cleanup of flooding conditions;
6. Reduce damage to public and private property resulting from flooding waters.

8120. Floodplain District Boundaries.

The Floodplain District is herein established as an overlay district. The District includes all the special flood hazard areas designated on the Tewksbury Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the NFIP dated July 2, 1981 as Zone A, A1-30, B, & C, and the FEMA Flood Boundary & Floodway Map dated July 2, 1981, both maps which indicate the 100-year regulatory floodplain. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Flood Insurance study booklet dated January 2, 1981. The FIRM, Floodway Maps and Flood Insurance Study booklet are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Commissioner, Conservation Commission and the Town Engineer. The above referenced maps and study booklet may be amended from time to time.

8130. Base Flood Elevation and Floodway Data.

8131. Floodway data. In Zone A, A1-A30, and AE along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

8132. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lessor, within unnumbered A zones.

8140. Notification of Watercourse Alteration.

8141. Notify, in a riverine situation, the following of any alteration or relocation of a watercourse:

1. Adjacent Communities,
2. NFIP State Coordinator
3. Massachusetts Office of Water Resources
4. NFIP Program Specialist
5. FEMA Region 1

8150. Use Regulations

8151. Reference to existing regulations. The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and the following:

1. 780 CMR (Massachusetts State Building Code), "Flood Resistant Construction", (currently Chapter 3107.0) which addresses floodplain;
2. 310 CMR (Commonwealth of Massachusetts Regulations), Department of Environmental Protection, Wetlands Protection Regulations. (currently Section 10.00);
3. Inland Wetlands Restriction, DEP (currently 302 CMR 6.00); and
4. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5).

Any variances from the provisions and requirements of the above-referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

8152. Other Use Regulations.

1. In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Tewksbury Floodway Map, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. Review all subdivisions proposals to assure that: a) such proposals minimize flood damage; b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and c) a adequate drainage is provided to reduce exposure to flood hazards.
3. Existing contour intervals of site and elevations of existing structures must be included on plan proposal.
4. Applicant shall be required to submit one copy of the development plan to the Conservation Commission, Planning Board, Board of Health, Town Engineer, and Building Commissioner for comments which will be considered by the appropriate permitting board prior to issuing applicable permits.

8160. Permitted Uses.

The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged provided they are permitted in the underlying district and they do not require structures, fill, or storage of materials or equipment:

1. Agricultural uses such as farming, grazing, truck farming, horticultural, etc.
2. Forestry and nursery uses.
3. Outdoor recreational uses, including fishing, boating, play areas, etc.
4. Conservation of water, plants, wildlife.
5. Wildlife management areas, foot, bicycle, and/or horse paths.

6. Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
7. Buildings lawfully existing prior to the adoption of these provisions.

8170. Administration.

8171. In order to insure the proper administration of the Floodplain District, the Building Commissioner shall;

1. Review proposed development to insure that all necessary permits have been obtained from those governmental agencies from which approval is required by federal or state law.
2. Obtain and maintain records of:
 - a) The elevation to which any structure has been floodproofed;
 - b) The floodproofing certificates required under the Floodplain District;
 - c) Whether or not the structure has a basement.

8180. Definitions

The following definitions are exclusive to the FLOOD PLAIN DISTRICT:

AREA OF SPECIAL FLOOD HAZARD is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, A99, V1-30, VE or V.

BASE FLOOD means the flood having a one percent chance of being equaled to or exceeded in any given year.

DEVELOPMENT means any manmade change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DISTRICT means floodplain district.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (The floodway designation is included on the FIRM.)

FLOOD INSURANCE RATE MAP (FIRM) means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY means an examination, evaluation and determination of flood hazards, and if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.

LOWEST FLOOR means the lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area, other than a basement area, is not considered a building's lowest floor, PROVIDED that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations 60.3.

MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

MANUFACTURED HOME PARK OR SUBDIVISION means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

NEW CONSTRUCTION means, for floodplain management purposes, structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by a community. For the purpose of determining insurance rates, **NEW CONSTRUCTION** means structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later.

NEW MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at the minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

ONE-HUNDRED-YEAR FLOOD – see **BASE FLOOD**.

REGULATORY FLOODWAY – see **FLOODWAY**

SPECIAL FLOOD HAZARD AREA means an area having special flood and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, AH, V, V1-30, VE.

START OF CONSTRUCTION includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling or floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home. **STRUCTURE**, for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage” regardless of the actual repair work performed.

ZONE A means the 100-year floodplain area where the base flood elevation (BFE) has not been determined. To determine the BFE use the best available federal, state, local or other data.

ZONE A1-30 and ZONE AE means the 100-year floodplain where the base flood elevation has been determined.

ZONES B, C AND X are areas identified in the community Flood Insurance Study as areas of moderate or minimal flood hazard. Zone X replaces Zones B and C on new and revised maps.

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| Replace Section 4.6 (12) with the following Section 8200 Arts Crafts Overlay District: |
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8200. ARTS CRAFTS OVERLAY DISTRICT

8210. Location. This overlay district shall include property zoned R40 and R80 and listed on one of the following arterial/primary streets: WHIPPLE ROAD, SHAWSHEEN STREET, EAST STREET, SOUTH STREET, and SALEM ROAD. The overlay district shall not extend further than 150' of depth into the lot from the street edge. Lots in the R40 or R80 Districts that do not contain frontage on one of the listed streets are not to be construed as located in the overlay district.

8220. Requirements. Arts, crafts, antiques or cottage Industries shall be allowed by Special Permit from the Board of Appeals, with the following conditions:

8221. The lot must have frontage of at least 100' on one of the streets set forth above.

8222. The use shall not extend beyond the overlay district which is limited to 150' from the edge of the street into the depth of the lot.

8223. The use shall not alter the character of the premises or the neighborhood into which it locates.

8224. The premises shall be owner occupied, and the home occupation must be operated by the owner of the premises. No more than one employee on site during hours of operation. The Special Permit Granting Authority may require that all employees be residents of the premises or members of the owner's family.

8225. A parking requirement of two (2) parking spaces for the residence is provided, as well as one space for each 180 feet of net floor area designated to Arts, Crafts, Antiques/Cottage Industry, with a maximum of four parking spaces installed for the business use. There shall be no parking variances allowed for the additional parking requirements.

8226. The Special Permit Granting Authority shall set limits on the hours of operation.

Replace Section 1.5 Administration and Enforcement with the following Section 9000 Administration and Procedures:

SECTION 9000. ADMINISTRATION AND PROCEDURES

9100. GENERAL.

9110. Permits. This By-Law shall be administered by the Building Commissioner. Pursuant to the State Building Code, the Building Commissioner may require such plans and specifications as may be necessary to determine compliance with all pertinent laws of the Commonwealth and may request advisory reviews by other municipal boards and officials. Buildings, structures or signs may not be erected, substantially altered, moved, or changed in use and land may not be substantially altered or changed with regard to size or shape or principal use unless in compliance with this Zoning By-Law, and all necessary permits have been received under federal, state, or local law.

9120. Enforcement. The Building Commissioner or his/her designee shall institute and take any and all such action as may be necessary to enforce full compliance with any and all of the provisions of this By-Law and of permits, special permits, variances, and site plan approval issued thereunder, including notification of noncompliance and request for legal action through the Board of Selectmen to Town Counsel.

9130. Penalties. The penalty for violation of any provision of this By-Law, of any of the conditions under which a permit is issued, or of any decision rendered by the Board of Appeals, any special permit granting authority, or the site plan approval board shall be three hundred dollars (\$300.00) for each offense. Each day that each violation continues shall constitute a separate offense.

9140. Non-criminal Disposition. In addition to the remedies set forth otherwise, the provisions of this By-Law may also be enforced by non-criminal disposition, as provided in M.G.L. c. 40, s. 21D. The penalty for such violation shall be \$50.00 for the second offense, \$100.00 for the third offense, and \$200.00 for the fourth and each subsequent offense.

9200. BOARD OF APPEALS.

9210. Establishment. There shall be a Board of Appeals of three members appointed by the Board of Selectmen. The Selectmen may also appoint two associate members of the Board of Appeals.

9220. Powers. The Board of Appeals shall have and exercise all the powers granted to it by Chapters 40A, 40B, and 41 of the Massachusetts General Laws and by this By-Law. The Board's powers are as follows:

9221. To hear and decide applications for special permits as designated in these By-Laws.

9222. To hear and decide appeals or petitions for variances from the terms of this By-Law, with respect to particular land or structures, as set forth in M.G.L. c. 40A, s. 10. The Board of Appeals shall not grant use variances in any district.

9223. To hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L. c. 40A, ss. 7, 8 and 15.

9224. To hear and decide comprehensive permits for construction of low or moderate income housing by a public agency or limited dividend or nonprofit corporation, as set forth in M.G.L. c. 40B, ss. 20-23.

9230. Regulations. The Board of Appeals may adopt rules and regulations from Massachusetts General Law, Chapter 40A, section 12, which are not inconsistent with the provisions of the zoning ordinance or by-law, for the conduct of its business and shall file a copy of said rules with the town clerk.

9240. Fees. The Board of Appeals may adopt reasonable administrative fees and technical review fees for petitions for variances, administrative appeals, and applications for comprehensive permits.

9300. SPECIAL PERMITS.

9310. Special Permit Granting Authority. The special permit granting authority shall be specifically designated by this By-Law as one of the following: the Planning Board, Board of Zoning Appeals, Board of Selectmen, or other board as designated.

9320. Criteria. Special permits shall be granted by the special permit granting authority, unless otherwise specified herein, only upon its written determination that the benefit to the town and the neighborhood outweigh the adverse effects of the proposed use, taking into account the characteristics of the site and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this By-Law, the determination shall include consideration of each of the following:

- 9321. Social, economic or community needs which are served by the proposal;
- 9322. Traffic flow and safety, including parking and loading;
- 9323. Adequacy of utilities and other public services;
- 9324. Neighborhood character and social structures;
- 9325. Impacts on the natural environment; and
- 9326. Potential fiscal impact, including impact on town services, tax base, and employment.

9330. Procedures. Applications shall be filed in accordance with the rules and regulations of the special permit granting authority. An application shall not be deemed complete until all copies of required information and documentation have been filed with the special permit granting authority.

9340. Development Impact Statement (DIS). At the discretion of the special permit granting authority, the submittal of a development impact statement (DIS) may be required at the expense of the applicant. The special permit granting authority may deny a special permit where the DIS discloses that the proposed use does not comply with the provisions of this by-law. The DIS shall be prepared by an interdisciplinary team including a Registered Landscape Architect or Architect, a Registered Professional or Civil Engineer, and a Registered Surveyor, and may include all or some of the following information:

9341. *Physical Environment.*

- a. Describe the general physical conditions of the site, including amounts and varieties of vegetation, general topography, unusual geologic, archeological, scenic and historical features or structures, location of significant viewpoints, stone walls, trees over 16 inches in diameter, trails and open space links, and indigenous wildlife.
- b. Describe how the project will affect these conditions, providing a complete physical description of the project and its relationship to the immediate surrounding area.

9342. *Surface Water and Subsurface Conditions.*

- a. Describe location, extent, and type of existing water and wetlands, including existing surface drainage characteristics, both within and adjacent to the site.
- b. Describe any proposed alterations of shore lines or wetlands.
- c. Describe any limitations imposed on the project by the site's soil and water conditions.
- d. Describe the impact upon ground and surface water quality and recharge, including estimated phosphate and nitrate loading on groundwater and surface water from septic tanks, lawn fertilizer, and other activities within the site.

9343. *Circulation Systems.*

- a. Project the number of motor vehicles to enter or depart the site per average day and peak hour. Also state the number of motor vehicles to use streets adjacent to the site per average day and peak hour. Such data shall be sufficient to enable the special permit granting authority to evaluate (i) existing traffic on streets adjacent to or approaching the site, (ii) traffic generated or resulting from the site, and (iii) the impact of such additional traffic on all ways within and providing access to the site. Actual study results, a description of the study methodology, and the name, address, and telephone number of the person responsible for implementing the study, shall be attached to the DIS.

9344. *Support Systems.*

- a. Water Distribution: Discuss the water system proposed for the site, means of providing water for fire-fighting, and any problems unique to the site.
- b. Sewage Disposal: Discuss the sewer system to be used, and evaluate impact of sewage disposal on the wastewater treatment facility.
- c. Refuse Disposal: Discuss the location and type of facilities, the impact on existing Town refuse disposal capacity, hazardous materials requiring special precautions.
- d. Fire Protection: Discuss the type, location, and capacity of fuel storage facilities or other flammables, distance to fire station, and adequacy of existing fire fighting equipment to confront potential fires on the proposed site.

e. Recreation: Discuss the distance to and type of public facilities to be used by residents of the proposed site, and the type of private recreation facilities to be provided on the site.

f. Schools: Project the increase to the student population for nursery, elementary, junior high school, and high school levels, also indicating present enrollment in the nearest public schools serving these categories of students.

9345. Phasing. Where development of the site will be phased over more than one (1) year, indicate the following:

a. Describe the methods to be used during construction to control erosion and sedimentation through use of sediment basins, mulching, matting, temporary vegetation, or covering of soil stockpiles. Describe the approximate size and location of portion of the parcel to be cleared at any given time and length of time of exposure.

b. Describe the phased construction, if any, of any required public improvements, and how such improvements are to be integrated into site development.

9350. Conditions. Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the special permit granting authority may deem necessary to serve the purposes of this By-Law.

9360. Plans. An applicant for a special permit shall submit a plan in substantial conformance with the requirements of Section 5400, herein.

9370. Lapse. Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within 24 months following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in M.G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk.

9380. Regulations. The special permit granting authority may adopt rules and regulations for the administration of this section.

9390. Fees. The special permit granting authority may adopt reasonable administrative fees and technical review fees for applications for special permits.

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|---|
| Renumber Section 4.11 Site Plan Special Permit as Section 9400 Site Plan Special Permit and amend as follows: |
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9400. SITE PLAN SPECIAL PERMIT

The Planning Board may grant a Site Plan Special Permit in accordance with the standards of this By-Law.

9410. Applicability. No business, industrial or institutional building shall hereafter be erected or externally enlarged, and no business, industrial or institutional use shall hereafter be expanded in ground area except in conformity with a special permit from the Planning Board approving a site plan for the lot. For the purposes of this section the term "externally enlarged" shall mean an increase in excess of 800 square feet in the floor area of the building and the term "expanded in ground area" shall mean an increase in the ground area devoted to such use.

9420. Rules and Regulations and Fees. The Planning Board shall adopt and from time to time amend, Rules and Regulations not inconsistent with the provisions of this By-Law or Chapter 40A of the Massachusetts General Laws, and shall file a copy of said Rules and Regulations with the Town Clerk. Such rules shall prescribe as a minimum the size, form, contents, style and number of copies of plans and specifications, the town boards or agencies from which the Planning Board shall request written reports and the procedure for submission and approval of a Site Plan Special Permit.

9430. Application. Any person who desires to obtain a Site Plan Special Permit shall submit a written application therefore to the Planning Board. Each such application shall be accompanied by the following:

9431. A written statement detailing the proposed USE, the extent of the BUILDING COVERAGE and OPEN SPACE, drainage calculations and calculations of the volume of earth to be removed, if any. Site Plan(s) prepared by a Registered Professional Engineer or Registered Land Surveyor, as appropriate to the data, showing all LOT lines and setbacks, zoning district boundaries including Flood Plain; all wetlands and wetland buffer zones, all areas designated as OPEN SPACE; all existing and proposed topography at two (2) foot intervals, BUILDING STRUCTURES, signs, parking and loading spaces; the limits of all paving and open storage areas and all facilities for sewerage, waste disposal and drainage, along with profiles and elevations of the sewage and drainage system.

The Site Plan shall include that portion of any adjacent land owned or used by the applicant on which the USE is similar to or connected with the USE for which the Site Plan Special Permit is sought. All Site Plan Special Permit applications submitted to the Planning Board for review shall be drafted on sheets not to exceed 2 feet by 3 feet and also scale to 1 inch equals 40 feet.

9432. A Landscape Plan(s) shall be prepared by a Registered Landscape Architect in all cases where the plan(s) specifies a proposed facility of 10,000 square feet or more of gross floor area, or a facility requiring 40 or more parking spaces. In any

case a Landscape Plan(s) shall show the limits of work, the existing tree line and all proposed landscape features and improvements including walks, planting areas with size and type of stock for each shrub or tree; walls, fences, outdoor lighting and existing and proposed contours of the land at two (2) foot intervals.

9433. A BUILDING Elevation Plan and Rendering shall be prepared by a Registered Architect or Registered Professional Engineer in all cases when filing for a Site Plan Special Permit. The BUILDING Elevation Plan and Rendering shall show all the front elevation and height of any proposed structure as well as the floor plan(s) showing the layout of each floor with a tabular summary of the next floor area used to calculate the required parking and the proposed USES to be conducted on each floor.

9434. Such other information as the Board may reasonably require including special studies or reports, such as traffic or hydrological impact studies.

9440. Reports from Town Boards or Agencies. The Planning Board shall transmit forthwith a copy of the application and plan(s) to other boards, departments, or committees as it may deem necessary or appropriate for their written reports. Any such board or agency to which petitions are referred shall make such recommendation or submit such reports as they deem appropriate and shall send a copy thereof to the Planning Board and to the applicant. Failure of any such board or agency to make a recommendation or submit a report within 35 days of receipt of the petition shall be deemed a lack of opposition.

9450. Public Hearings and Decision. The Planning Board shall hold a public hearing no later than 65 days after the filing of a complete application. The Planning Board shall have the power to continue a public hearing under this section if it finds that such continuance is necessary to allow the petitioner or applicant to provide information of an unusual nature and which is not otherwise required as part of the special permit application. The Planning Board shall issue a decision no later than 90 days following the close of the hearing. Failure by the Planning Board to take final action upon an application for a special permit said 90 days following the close of the public hearing shall be deemed to be a grant of the permit applied for.

9460. Site Design Standards for Site Plan Special Permit. The purpose of the following site design standards is to ensure that further consideration will be given to the natural resources and characteristics of a site, to its topographic, hydrologic and geological conditions, to public convenience and safety and to the suitability of a proposed USE on a site. Before the granting of any site Plan Special Permit, the Planning Board shall assure that each site plan submitted for its review shall comply in full with the following site design standards:

9461. Stormwater Run-off - No stormwater run-off in excess of rates existing prior to new construction shall be allowed and no stormwater run-off in excess of rates existing prior to new construction shall be discharged onto a public way or into a public drainage system unless there is, in the opinion of the Planning Board, sufficient capacity to handle the additional run-off.

9462. Outdoor Lighting – Refer to Section 5330.

9463. Common Driveway in the Business or Industrial Districts - A common driveway may serve two (2) or more LOTS used for business or industrial USE and located in the Business or Industrial Districts provided that the common driveway is no wider than 24 feet at any point where it crosses required OPEN SPACE or any parking setback area required under Section 5400. The Planning Board shall ensure that the common driveway shall not be located or designed to derogate from the intent of the By-Law to provide suitable OPEN SPACE on each site.

9470. Open Space Landscaping Standards. Any landscaping on OPEN SPACE shall be designed to enhance the visual impact of the USE upon the LOT and adjacent property. Where appropriate, existing vegetation may be retained and used to satisfy the landscaping requirements. OPEN SPACE areas shall be kept free of encroachment by all BUILDINGS, STRUCTURES, storage areas or parking. OPEN SPACE landscaping shall be maintained as open planted areas and used to (1) ensure buffers between properties, (2) provide landscaped areas between BUILDINGS, (3) minimize the visual effect of the bulk and height of BUILDINGS, STRUCTURES, parking areas, lights or signs and (4) minimize the impact of the USE property on land and water resources.

(a) In the Commercial and R40 District where a business or industrial USE abuts a residential district, a landscape buffer up to a maximum of 20 feet in depth designed to mitigate the impact of the business or industrial USE on abutting residential districts may be required by the Planning Board between the business or industrial USE and the residential district.

(b) In the Heavy Industry District where a business or industrial USE abuts a residential district, a landscape buffer of a minimum of 30 feet up to a maximum of 60 feet in depth designed to mitigate the impact of the business or industrial USE on abutting residential districts shall be required by the Planning Board between the business or industrial USE and the residential district.

(c) All parking lots and loading facilities shall be suitably landscaped to minimize their visual impact on the LOT and upon adjacent property by the use of existing vegetation where appropriate and by the use of new trees, shrubs, walls, fences or other landscape elements. Any parking lot with more than 40 parking spaces shall include a landscaped area(s) shall not be less in

area than five (5) percent of the total area of the parking lot and shall be in addition to any minimum OPEN SPACE required under Section 5400. Landscaped area(s) shall be provided with a minimum width of at least 10 feet, curbing and shade trees of at least 12 feet in height or such other landscaping as may be required by the Planning Board.

9480. Reserved Parking Spaces. Under a Site Plan Special Permit, the Planning Board may authorize a decrease in the number of parking spaces and shall have the authority to require an increase in the number of parking spaces required under Section 5130, in accordance with the following:

9481. The Planning Board may authorize a decrease in the number of parking spaces required under Section 5130 provided that:

- (a) The decrease in the number of parking spaces is no more than 30% of the total number of spaces required under Section 5130. The waived parking spaces shall be set aside and shall not be intended for immediate construction. Such spaces shall be labeled as “Reserve Parking” on the site plan.
- (b) Any such decrease in the number of required parking spaces shall be based upon documentation of a special nature of a USE or BUILDING.
- (c) The parking facility in question has made optimum use of the small car parking provision as prescribed in Section 5120, if applicable.
- (d) The parking spaces labeled “Reserve Parking” on the site plan shall be properly designed as an integral part of the overall parking layout, located on land suitable for parking development and in no case located within an area counted as buffer, parking setback or OPEN SPACE.
- (e) The decrease in the number of required spaces will not create undue congestion or traffic hazards and that such relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this By-Law.

9482. If, at any time after the Certificate of Occupancy is issued for the BUILDING or USE, the Building Inspector determines that additional parking spaces are needed, the Inspector shall notify the Planning Board, in writing, of such finding and the Planning Board may require that all or any portion of the spaces shown on the approved site plan as “Reserve Parking” be constructed.

9483. The Planning Board may require provisions for an increase in the number of parking spaces required under Section 5130 provided that:

- (a) The increase in the number of parking spaces is no more than 20% of the total number of spaces required under Section 5130 for the USE in question.
- (b) Any such increase in the number of required parking spaces shall be based upon the special nature of a USE or BUILDING.
- (c) The increased number of parking spaces shall be labeled “Increased Reserve Parking” on the site plan and shall be properly designed as an integral part of the overall parking layout, located on land suitable for parking development and in case located within area counted as buffer, parking setback or OPEN SPACE. The applicant shall not be required to construct any of the parking spaces labeled as “Increased Reserve Parking” for at least one year following the issuance of a Certificate of Occupancy. Where the “Increased Reserve Parking” area is required and the applicant has otherwise provided the number of parking spaces required under Section 5130, the area of land reserved for the increased number of parking spaces may be deducted from the minimum OPEN SPACE required under Section 5400.

9484. If after one (1) year after the issuance of a Certificate of Occupancy, the Building Inspector finds that all or any of the “Increased Reserve Spaces” are needed, the Inspector shall notify the Planning Board, in writing, of such finding and the Planning Board may require that all or any portion of the spaces identified as “Increased Reserve Spaces” on the site plan be constructed within a reasonable time period as specified by the Planning Board.

9490. Action by the Planning Board. The Planning Board, in considering a site plan, shall ensure a USE of the site consistent with the USES permitted in the district in which the site is located and shall give due consideration to the reports received under Section 9440. Prior to the granting of any special permit, the Planning Board shall find that, to the degree reasonable, the site plan:

- a) Protects adjoining premises by minimizing adverse effects on the natural environment;
- b) Provides for convenient and safe vehicular and pedestrian movement and that the locations of driveway openings are convenient and safe in relation to vehicular and pedestrian traffic circulation, including emergency vehicles, on or adjoining the site;
- c) Provides an adequate arrangement of parking and loading spaces in relation to the proposed USES of the premises;

- d) Provides adequate methods of disposal of refuse or other wastes resulting from the USES permitted on the site;
- e) Complies with all applicable requirements of this By-Law.

9491. Special Permit Conditions - The Planning Board may impose such conditions, safeguards and limitations as it deems appropriate to protect the neighborhood or the Town including, but not limited to:

- a) Dimensional requirements greater than the minimum required by this By-Law;
- b) Screening of parking areas or other parts of the premises from adjoining premises or from the street by specified walls, fences, plantings or other devices;
- c) Modification of the exterior features or appearances of the structure(s);
- d) Limitation of size, number of occupants, method and time of operation and extent of facilities;
- e) Regulation of number, design and location of access drives, drive-up windows and other traffic features;
- f) Requirement of off-street parking and other special features;
- g) Requirement for performance bonds or other security; and
- h) Installation and certification of mechanical or other devices to limit present or potential hazard to human health, safety, welfare or the environment resulting from smoke, odor, particulate matter, toxic matter, fire or explosive hazard, glare, noise, vibration or any other objectionable impact generated by any given USE of land.

9492. Time Limitation on Site Plan Special Permit - A Site Plan Special Permit shall lapse if a substantial use thereof has not commenced except for good cause or in the case of a permit for construction, if construction has not commenced except for good cause within a period of time to be specified by the Planning Board, not to exceed two years from the date of grant thereof.

Add a new Section 9500 Use Special Permit as follows:

9500. USE SPECIAL PERMIT

9510. Any non-residential development proposed for construction that consists of 10,000 square feet or more shall be required to first obtain a Special Permit from the Planning Board.

9520. Any non-residential structural addition proposed for construction that consists of 5,000 square feet or more shall be required to first obtain a Special Permit from the Planning Board.

9530. Any non-residential development proposed for construction that generates 500 or more daily vehicular trips shall be required to first obtain a Special Permit from the Planning Board.

*Special Permit applications submitted to the Planning Board must conform with the Special Permit Rules and Regulations.

Replace Section 2- Definitions with the following Section 10000. Definitions:

SECTION 10000. DEFINITIONS.

In this By-Law, the following terms and constructions shall apply unless a contrary meaning is required by the context or is specifically prescribed in the text of the By-Law. Words used in the present tense include the future. The singular includes the plural and the plural includes the singular. The word "shall" is mandatory and "may" is permissive or discretionary. The word "and" includes "or" unless the contrary is evident from the text. The word "includes" or "including" shall not limit a term to specified examples, but is intended to extend its meaning to all other instances, circumstances, or items of like character or kind. The word "lot" includes "plot"; the word "used" or "occupied" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied". The words "building," "structure," "lot," or "parcel," shall be construed as being followed by the words "or any portion thereof." The word "person" includes a firm, association, organization, partnership, company, or corporation, as well as an individual. Terms and words not defined herein but defined in the Commonwealth of Massachusetts State Building Code shall have the meaning given therein unless a contrary intention is clearly evident in this By-Law.

ACCESSORY BUILDING OR STRUCTURE: A building or structure subordinate to a principal building or structure and customarily used to serve the purposes of that principal building. A building is accessory only where a principal building exists on the same lot.

ACCESSORY RESIDENTIAL USE: Any use customarily incidental to the principal residential use, such as a private garage; carport; playhouse; private greenhouse; tool shed; tennis court; storage of one recreational trailer, home utility trailer, boat, and snowmobile; or swimming pool.

ACCESSORY USE: A use customarily incidental to and located on the same lot with the principal use. A use is accessory only where a principal use exists on the same lot.

ACCESS DRIVEWAY: The travel lane that allows motor vehicles ingress from the street and egress from the site and includes the area between the sideline of the street to the lot where the access driveway is no longer within the minimum parking area setback required herein.

ADULT USE ESTABLISHMENT: An establishment having a substantial or significant portion of its business activity, stock in trade, or other materials for sale, rental or display, which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual conduct as defined in M.G.L. c. 272, s. 31, including but not limited to the following: any adult bookstore, adult cabaret, adult motion picture theater, adult paraphernalia store or adult video store as defined below:

ADULT BOOKSTORE: An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other matter which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. c. 272, s. 31.

ADULT CABARET: A nightclub, bar, restaurant, tavern, dance hall, or similar commercial establishment which present: (a) persons who appear in a state of nudity as defined in M.G.L. c. 272, s. 31; or (b) live performances which are characterized by an emphasis depicting anatomical areas specified as less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola, and human genitals in a state of sexual arousal, or relating to sexual conduct or sexual excitement as defined in M.G.L. c. 272, s. 31; or (c) films, motion pictures, video cassettes, slides, photographic reproductions or any other visual media which are characterized by the depiction or description of anatomical areas specified as above, or relating to sexual conduct or sexual excitement as defined in G. L., c. 272, s. 3.

ADULT MOTION PICTURE THEATER: An enclosed building used for presenting material (including, but not limited to, motion picture films, video cassettes, cable television, slides or any other such visual media) distinguished by an emphasis on matter depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. c. 272, s. 31.

ADULT PARAPHERNALIA STORE: An establishment having as a portion of its stock devices, objects, tools, or toys which are distinguished by their association with sexual activity, including sexual intercourse, sexual conduct or sexual excitement as defined in M.G.L. c. 272, s. 31.

ADULT VIDEO STORE: An establishment having as a substantial or significant portion of its stock in trade - for sale or rent - motion picture films, video cassettes, and similar audio/visual media, which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. c. 272, s. 31.

SUBSTANTIAL OR SIGNIFICANT PORTION: The terms "substantial or significant portion" as used herein shall mean any of the following: (a) twenty percent (20%) or more of the business inventory or stock of merchandise for sale, rental distribution, or exhibition during any period of time; or (b) twenty percent (20%) or more of the annual number of gross sales, rentals, or other business transactions; or (c) twenty percent (20%) or more of the annual gross business revenue; or (d) twenty percent (20%) or more of the hours during which the establishment is open.

AGRICULTURE: Use of land for agriculture, horticulture, floriculture, or other protected operations pursuant to M.G.L. c. 40A, s. 3.

AGRICULTURE, NONEXEMPT: Agricultural activities, limited to cultivating and harvesting general crops including the storage of necessary farm equipment and the raising of livestock, on parcels of less than five (5) acres.

ALTERATIONS: As applied to a building or structure, a change or rearrangement in the structural parts or in the existing facilities, or an enlargement whether by extending on a side or by increasing in height, or the moving from one (1) location or position to another.

ANIMAL CLINIC OR HOSPITAL: A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short term care incidental to the clinic or hospital use.

ARTS CRAFTS, ANTIQUES/COTTAGE INDUSTRIES: A customary home occupation which combines the knowledge and principles of art with the manual skill of preparing items for sale or barter (excluding automotive vehicles).

ASSISTED LIVING FACILITY: An "assisted living residence" as defined in 651 CMR 12.02.

BED AND BREAKFAST ESTABLISHMENT: Accommodations with not more than four bedrooms occupied by bed and breakfast guests in which the owner of the establishment resides. Bed and breakfasts are intended for guests on intermittent visits, and shall not be used as long-term rental units or apartments. All parking for residents and guests shall be off-street.

BOARD OF APPEALS: The Board of Appeals established or operating in the Town of Tewksbury pursuant to M.G.L. c. 40A, or any amendment thereof, or in addition thereto.

BOARDING OR LODGING HOUSE: A dwelling in which more than five (5) unrelated persons are housed or lodged by the day, week or month, either with or without meals.

BUILDING: An independent structure having a roof supported by columns, or walls, resting on its own foundations, and designed for the shelter, housing, or enclosure of persons, animals or property of any kind.

BUILDING COMMISSIONER: The Administrative chief of the building department in a municipality who is charged with the administration and enforcement of 780 CMR. All building commissioners shall meet or exceed the minimum qualifications for the position as defined in M.G.L. c. 143, s. 3 and shall be certified in accordance with 780 CMR R7.

BUILDING COVERAGE: That percentage of the lot or plot area covered by the roof area of a building or buildings.

BUILDING HEIGHT: The height of a building shall be the vertical distance from the grade plane to the highest point of the roof. Not included are spires, cupolas, antennae, or similar parts of structures which do not enclose potentially habitable floor space.

BUILDING, PRINCIPAL: A building in which is conducted the main or principal use of the lot on which said building is situated.

BUSINESS OR PROFESSIONAL OFFICE: A building or part thereof for the transaction of business or the provision of services exclusive of the receipt, sale, storage, or processing of merchandise, including, but not limited to, offices of banks and financial institutions, medical offices, medical clinics, and others.

CAR WASH: Any building or premises or portions thereof charging a fee for washing automobiles, or offering such service accessory to a commercial operation.

CHILD CARE: A day care center or a child care program, as those terms are defined in M.G.L. c. 28A, s. 9.

CLUB OR LODGE: Buildings, structures and premises used by a nonprofit social or civic organization, or by an organization catering exclusively to members and their guests for social, civic, recreational, or athletic purposes which are not conducted primarily for gain and provided there are no vending stands, merchandising, or commercial activities except as may be required generally for the membership and purposes of such organization.

CLUSTER DEVELOPMENT: A subdivision to be developed as an entity by a land owner or owners in a manner where exempting his plan from the lot area and frontage requirements of this By-Law will result in preserving open space and result in a more efficient use of land.

COMMERCIAL MOBILE RADIO SERVICE/MOBILE TELECOMMUNICATIONS PROVIDERS: A personal wireless service, unlicensed wireless services and common carrier wireless exchange access service, the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services.

COMMERCIAL RECREATION, INDOOR: A structure for recreational, social or amusement purposes, which may include as an accessory use the consumption of food and drink, including all connected rooms or space with a common means of egress and entrance. Places of assembly shall include theatres, concert halls, dance halls, skating rinks, bowling alleys, health clubs, dance studios, or other commercial recreational centers conducted for or not for profit.

COMMERCIAL RECREATION, OUTDOOR: Drive-in theatre, golf course/driving range, bathing beach, sports club, horseback riding stable, boathouse, game preserve, marina or other commercial recreation carried on in whole or in part outdoors, except those activities more specifically designated in this By-Law.

COMMERCIAL VEHICLE, LIGHT: Any vehicle under 10,000 lbs. gross vehicle weight which is used in construction or other commercial enterprise. This does not include other equipment used for landscaping and/or construction or cube vans, stepvans and buses.

COMMERCIAL VEHICLE, HEAVY: Any vehicle over 10,000 lbs. gross vehicle weight which is used in construction or other commercial enterprise. This includes, but is not limited to, other equipment used for landscaping and/or construction or cube vans, stepvans and buses.

COMMUNITY DEVELOPMENT USE: A structure or combination of structures containing an adult day care facility, or an independent living facility, or an assisted living facility, or a long term care facility.

CONTRACTOR'S YARD: Land used for the storage of commercial construction equipment, materials, and supplies and for the parking of registered commercial vehicles.

CORNER LOT: A lot bounded by more than one (1) street which has an interior angle of 135 degrees or less formed by the tangents or straight segments of street lines between the side or rear lines of such a lot or by an extension of such street lines. A lot bounded by one street shall be considered a corner lot when the tangents or straight segments of the street line between the side lines of the lot form, or would form if extended, an interior angle of 105 degrees or less.

DAILY VEHICULAR TRIP: A single or one-direction vehicle movement with either the origin or the destination (**exiting** or **entering**) inside a study site.

DAY CARE, ADULT: A social day care or adult day health facility as those terms are defined by the Commonwealth's Department of Elder Affairs.

DAY CARE, FAMILY: Any private residence which on a regular basis receives for temporary custody and care during part or all of the day, as defined in M.G.L. c. 28A, s.9.

DEBRIS: Accumulated fragments, ruins, or rubbish. In addition to this usual meaning shall also include but not be limited to the following: used motor vehicle and heavy equipment parts and demolition materials from buildings and other structures.

DWELLING UNIT: One or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for the same and including room or rooms for living, sleeping, and eating.

DWELLING: A building, or portion thereof, designed exclusively for residential occupancy, including single-family, two-family, or multiple family dwelling (apartments), but not including hotels, motels, boarding homes, trailers, or structures primarily for transient or overnight occupancy. Single- and two-family dwellings shall be designed for and occupied by not more than one (1) or two (2) families, respectively.

DWELLING, MULTIFAMILY: A building containing three or more dwelling units.

DWELLING, MULTIFAMILY/55: A building containing three or more dwelling units; provided, however, that one hundred percent (100%) of the housing units shall be occupied by means of fee simple ownership, and/or by lease agreement, by persons who have attained the age of fifty-five (55) or older, unless the spouse of such person age 55 or older is under 55, and/or such person who has attained the age of 55 or older has sole or joint custody of a person under the age of 55.

EARTH REMOVAL: Extraction of sand, gravel, top soil, or other earth for sale or for use at a site removed from the place of extraction exclusive of the grading of a lot preparatory to the construction of a building for which a building permit has been issued, or the grading of streets in accordance with an approved definitive plan, and exclusive of granite operations.

EDUCATIONAL PURPOSES, USE OF LAND OR STRUCTURES FOR: Exempt activity as set forth in M.G.L. c. 40A, s. 3.

EDUCATIONAL PURPOSES, NONEXEMPT: Educational facilities not exempted from regulation by M.G.L. c. 40A, s. 3.

ERECT: To build, construct, reconstruct, move upon, or conduct any physical development of the premises required for a building; to excavate, fill, drain, and the like preparation for building shall also be considered to erect.

ESSENTIAL SERVICES: Services provided by a public service corporation or by governmental agencies through erection, construction, alteration, or maintenance of gas, electrical, steam, or water or sewer transmission or distribution and collection systems, communication, supply, or disposal systems whether underground or overhand, but not including wireless communications facilities. Facilities necessary for the provision of essential services include poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment in connection therewith.

FAMILY: Any number of individuals living together on the premises of a single housekeeping unit.

FAMILY SUITE: An accessory dwelling unit located within a single family dwelling subordinate in size to the principle unit and separated from it in a manner that maintains the appearance of a single family dwelling. Brothers, sisters, maternal parents and grandparents, paternal parents and grandparents, in-laws and or children of the residing owners of the principle dwelling unit may only occupy the family suite.

FARM STAND, EXEMPT: Sale of farm products on a parcel larger than five acres, provided that during the months of June, July, August, and September of every year, or during the harvest season of the primary crop, the majority of such products for sale, based on either gross sales dollars or volume, have been produced by the owner of the land containing more than five acres in area on which the facility is located.

FARM STAND, NONEXEMPT: Facility for the sale of produce, wine and dairy products on property not exempted by M.G.L. c. 40A, s. 3.

FIRM: Flood Insurance Rate Map(s).

FLOODPLAIN: Those areas of land adjacent to the rivers, streams, and other water courses in the Town which experience frequent regular or periodic flooding.

FRONTAGE: The lot line coinciding with the sideline of a street which provides both legal rights of vehicular access and physical vehicular access to the lot, said line to be measured continuously along a single street or along two (2) intersecting streets if their angle of intersection is greater than one hundred and twenty (120) degrees. Vehicular access to a building site on the lot shall be exclusively through the legal frontage of the lot.

FRONT LINE: A line drawn parallel to and along the front wall of a building extended to the property line.

FUNERAL HOME: Facility for the conducting of funerals and related activities such as embalming.

GAME COURT: Any specially prepared play area whose surface, topography, size, shape and configuration is associated with recreational games, such as basketball, volleyball, badminton, tennis, horseshoes and archery. Such term shall not include golf courses or walking and jogging trails.

GARAGE FOR AUTOMOTIVE STORAGE: A structure which is accessory to a commercial or industrial establishment and is primarily for the parking and storage of vehicles operated by the customers, visitors and employees of such an establishment.

GRADE PLANE: A reference plane representing the average of finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.

HOME OCCUPATION: Any occupation, business, trade, service or profession which is customarily incidental to and conducted in a dwelling unit or in a building or other structure accessory thereto, by a resident thereof. No more than one home occupation may be conducted on any premises.

HOSPITAL: An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury and other conditions, and related facilities, such as laboratories, outpatient facilities, training facilities, offices, and staff residences.

HOTEL: A building intended and designed primarily for transient or overnight occupancy, divided into separate units within the same building and with or without public dining facilities.

INTERIOR DRIVEWAY: A travel lane located within the perimeter of a parking lot which is not used to directly enter or leave parking spaces. An interior driveway shall not include any part of the access driveway.

ITINERANT ROADSIDE VENDING: The periodic sale of merchandise or goods on a lot including, but not limited to, sales from a vehicle parked on a lot.

JUNKYARD OR AUTOMOBILE SALVAGE YARD: The use of any area or any lot, whether inside or outside of a building, for the storage, keeping, or abandonment of junk, scrap or discarded materials, or the dismantling, demolition, or abandonment of automobiles, other vehicles, machinery, or parts thereof.

KENNEL, COMMERCIAL: A commercial establishment in which more than three (3) dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold located on at least five (5) acres of land.

LIGHT MANUFACTURING: Fabrication, assembly, processing, finishing work or packaging.

LIMOUSINE OR TAXICAB BUSINESS: A facility or terminal making available for hire a limousine, taxicab, van or livery business.

LOT: A parcel of land used or set aside and available for use as site of one (1) or more buildings and buildings accessory thereto or for any other definite purpose, in one ownership and not divided by a street, nor including any land within the limits of a public or private way upon which lot abuts.

LOT COVERAGE: The projected area of space in all buildings on the lot, including all roof overhangs.

MAJOR COMMERCIAL PROJECT. Any nonresidential development proposed for construction that has any of the following attributes:

1. 10,000 gross square feet of structures(s);
2. Any addition to an existing structure causing such structure to exceed 10,000 gross square feet;
3. 250 or more vehicle trips per day as calculated using the Institute of Traffic Engineer's Trip Generation Manual or other method acceptable to the Planning Board.

MAJOR RECREATIONAL EQUIPMENT: Campers, trailers or other recreational vehicles.

MANEUVERING AISLE: A travel lane located within the perimeter of a parking lot by which motor vehicles directly enter and leave parking spaces.

MANUFACTURING: A use engaged in the basic processing and manufacturing of materials, or the manufacture from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but not including the following:

Garbage and refuse incineration or disposal otherwise of material not originating on the premises, except by Town of Tewksbury; distillation of bones, rendering of fat or reduction of animal matter; manufacturing of glue; oil refining; bulk storage of petroleum products; foundries, manufacture of large machine parts, metal working; tanneries; manufacture of cement products and cement mixing; processing, storage and distribution of asphalt products; sorting, baling and storage of waste paper, rags or junk or the dismantling of motor vehicles; slaughterhouses; sand, gravel and stone processing plants; trailer parks and mobile homes; airports; solid waste resource recovery facility; piggeries.

MASSAGE SERVICE ESTABLISHMENTS: The term "Massage" shall mean any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of external parts of the human body with the hands or with the aid of any mechanical or electric apparatus or appliances, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointment or other such similar preparations commonly used in the practice of massage under such circumstances that it is reasonably expected that the person to whom the service is provided, or some third person on his or her behalf, will pay money or give any other consideration or any gratuity therefore. The practice of massage shall not include the following individuals while engaged in the personal performance of duties of their respective professions:

Physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions in the Commonwealth of Massachusetts; Nurses who are registered under the Laws of the Commonwealth of Massachusetts; Barbers and beauticians who are duly licensed under the laws of the Commonwealth of Massachusetts, except that this exclusion shall apply solely to the massage of the neck, face, scalp and hair of the customer or client for cosmetic or beautifying purposes.

MASSAGE THERAPY (LICENSED): The practice and license of Massage Therapy as described in the Tewksbury Board of Health Regulations for Practitioners of Massage Therapy. No person shall engage or hold himself/herself out as being engaged in the practice of Massage Therapy without a license issued by the Tewksbury Board of Health.

MEDICAL CENTER OR CLINIC: A building designed and used for the diagnosis and treatment of human patients that does not include overnight care facilities.

MEMBERSHIP CLUB, CIVIC, SOCIAL, PROFESSIONAL OR FRATERNAL ORGANIZATION: Buildings, structures and premises used by a nonprofit social or civic organization, or by an organization catering exclusively to members and their guests for social, civic, recreational, or athletic purposes which are not conducted primarily for gain and provided there are no vending stands, merchandising, or commercial activities except as may be required generally for the membership and purposes of such organization.

MOBILE HOME: Any vehicle without motor power designed, constructed, reconstructed or added to by means of accessories in a manner to permit the use and occupancy thereof as a one family dwelling unit; whether resting on wheels, foundation structures, or other support; but constructed so as to permit its occasional movement over a street or highway.

MOBILE PARKED FOOD SERVICE: A mobile facility for the sale of food or beverages.

MOTEL: A building intended and designed primarily for transient or overnight occupancy, divided into separate units within the same building, with or without public dining facilities, and characterized by direct access to every unit from an automobile, parking spaces or facility (includes motor hotels and motor inns).

MOTOR VEHICLE GENERAL AND BODY REPAIR: An establishment, garage or work area enclosed within a building for the servicing and repair of autos, including fenders, bumpers and similar components of motor vehicle bodies, but not including the storage vehicles for the cannibalization of parts or fuel sales.

MOTOR VEHICLE LIGHT SERVICE: Premises for the supplying of fuel, oil, lubrication, washing, or minor repair services, but not to include body work, painting, or major repairs.

MOTOR VEHICLE, MOTORCYCLE, TRAILER, SNOWMOBILE, OR BOAT SALES AND RENTAL: The indoor or outdoor sales or rental of the listed commodities.

MUNICIPAL FACILITY: Any use of land or structures owned by the Town of Tewksbury. Such facilities shall be exempt from all dimensional requirements set forth in this By-Law.

NONCONFORMING USE OR STRUCTURE: A building, structure, or use of land as set forth in M.G.L. c. 40A, s. 6.

NURSING HOME: Any place or institution for aged, infirm, chronic or convalescent, whether conducted for charity or for profit, which is established to render domiciliary care, custody, treatment and/or lodging of three (3) or more unrelated persons who require or receive assistance in ordinary daily activities of life, or who are confined to bed or chair. (This term includes boarding and rooming houses for aged people, convalescent homes, rest homes, homes for the aged or infirm, convalescent homes for children, and the like; but does not include hospitals, clinics, and similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases or mental illness).

OBJECTIONABLE FEATURE: Any situation or condition on a lot which will devalue or otherwise impair the neighborhood, structure, or a condition not commonly found on similar properties or take any action thereto.

ONE HUNDRED YEAR FLOOD: The flood that has a one percent chance of being equaled or exceeded in any given year, as shown on the base flood elevation designated on the FIRM.

OVERLAY DISTRICT: A zoning district which is superimposed on other zoning districts and whose regulations are supplementary to those of the zoning districts so overlaid. Any uses permitted on the portions of districts so overlaid shall be permitted subject to the provisions contained in the overlay district.

PARKING AREA: A public parking area or a private parking area that is open to the parking of motor vehicles by customers and employees of an establishment.

PARKING STALL LENGTH OF LINE: The longitudinal dimension of the stall measured parallel to the angle of parking.

PERSON: Shall include an individual corporation, society, association, partnership, trust or other entity, public or private.

PERSONAL SERVICE ESTABLISHMENT: A facility providing personal services such as hair salon, barber shop, tanning beds, dry cleaning, print shop, photography studio, and the like.

PREMISES: A lot together with all structures, building and uses therein.

PROFESSIONAL OFFICE: The office of one engaged in such generally recognized professions as physician, dentist, veterinarian, attorney-at-law, engineer, architect, landscape architect, interior designer, and accountant.

PUBLIC WAY: Shall include a private way that is open to public use.

RELIGIOUS PURPOSES, USE OF LAND OR STRUCTURES FOR: Exempt activity as set forth in M.G.L. c. 40A, s. 3.

REMOVAL OF LOAM, SAND OR GRAVEL: Extraction of sand, gravel, loam, top soil, or other earth for sale or for use at a site removed from the place of extraction exclusive of the grading of a lot preparatory to the construction of a building for which a building permit has been issued, or the grading of streets in accordance with an approved definitive plan, and exclusive of granite operations.

RESTAURANT: A building, or portion thereof, containing tables and/or booths for at least two-thirds (2/3) of its legal capacity, which is designed, intended and used for the indoor sales and consumption of food prepared on the premises, except that food may be consumed outdoors in landscaped terraces, designed for dining purposes, which are adjuncts to the main indoor restaurant facility. The term "restaurant" shall not include "fast food restaurants."

RESTAURANT, FAST-FOOD: An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready to consume state for consumption either within the restaurant building or off premises and usually requires ordering food at a counter.

RETAIL SALES: A facility selling goods not specifically listed in the Table of Use Regulations.

SEMIDETACHED: Two (2) one-family houses built together at the same time and separated by a fireproof division with no openings.

SERVICE AREA: A room or rooms in a building used to house electrical or mechanical equipment necessary to provide central utility service to the building, such as a boiler room.

SIGN: Any device designed to inform or attract the attention of persons not on the premises on which the device is located. Any building surfaces other than windows which are internally illuminated or decorated with gaseous tube or other lights are considered "signs." The following, however, shall not be considered signs within the context of this ordinance:

- (a) Flags and insignia of any government except when displayed in connection with commercial promotion.
- (b) Legal notices, or informational devices erected or required by public agencies.
- (c) Temporary devices erected for a charitable or religious cause, provided they are removed within seven (7) days of erection.

(d) Temporary displays inside windows, covering not more than thirty (30) percent of window area, illuminated by building illumination only.

(e) Standard gasoline pumps bearing thereon in usual size and form the name, type, and price of gasoline.

(f) Integral decorative or architectural features of a building, except letters, trademarks, moving parts, or parts internally illuminated or decorated with gaseous tube or other lights.

(g) Devices identifying a building as distinct from one (1) or more of its occupants, such device being carved into or attached in such a way as to be an integral part of the building, not illuminated separate from building illumination, without color contrasting with sign background, and not exceeding four (4) square feet in area.

(h) Address identification through numerals or letters not exceeding three (3) inches in height.

SIGN, ACCESSORY: Any billboard, sign or other advertising device that advertises, calls attention to, or indicates the person occupying the premises on which the sign is erected or the business transacted therein, or advertises the property itself or any part thereof as for sale or to let, and which contains no other advertising matter.

SIGN, ADULT USE ADVERTISEMENT: An advertising sign or device which advertises an adult use establishment, a adult bookstore, adult video store, adult cabaret, adult paraphernalia store, or adult motion picture theater and/or advertises the trade, rental or sale of material, distinguished by an emphasis on matter depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. c. 272, s. 31.

SIGN, AREA OF: The area of a sign shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign and any "cutouts" or extensions, but shall not include any supporting structure or bracing. The area of a sign consisting of individual letters or symbols attached to or painted on a surface, building, wall or window, shall be considered to be that of the smallest rectangle or triangle which encompasses all of the letters and symbols.

SIGN, NONACCESSORY: Any billboard, sign or other advertising device that does not come within the foregoing definition of an accessory sign.

SIGN, FREE-STANDING OR STANDING: The term "standing" shall include any and every sign erected on or affixed to the land and any and every exterior sign that is not attached to a building.

SPECIAL PERMIT GRANTING AUTHORITY (SPGA): The board with authority to grant special permits, which shall be the Board of Appeals unless some other board is so designated in these By-Laws.

STEEL FABRICATION: The fabrication of steel components typically used in the construction of buildings, bridges or other structures. This includes stairs, railings, miscellaneous metal and other structural components.

STREET: An accepted town way, or a way established by or maintained under county, state, or federal authority, or a way established by a subdivision plan approved in accordance with the subdivision control law, or a way determined by the planning board to have sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.

STRUCTURE: Anything erected at a fixed location on the ground to give support, provide shelter or satisfy other purposes (includes the term "building").

TRAILER: A vehicle without motor power designed to be drawn by a motor vehicle, used for hauling or living purposes and standing on wheels or rigid supports. (Does not include "mobile home", which is defined elsewhere).

TRANSPORTATION OR FREIGHT TERMINAL: Terminal facilities for handling freight with or without maintenance facilities.

TRUCK STOP: Any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sales of accessories or equipment for trucks or similar commercial vehicles. A truck stop shall also be defined to include those overnight accommodations and restaurant facilities primarily for the use of truck crews.

TRUCKING COMPANY: A commercial or industrial enterprise using heavy commercial vehicles to deliver goods, freight or construction materials such as sand, gravel, loam and the like.

VARIANCE: An authorization by the Board of Appeals to use property or locate a structure pursuant to M.G.L. c. 40A, s. 10.

WAREHOUSE: A building used primarily for the storage of goods and materials, for distribution, but not for sale on the premises.

WETLAND: Any perennially wet area, including all lands which are subject to the provisions of M.G.L. c. 131, s.40.

WIDTH OF PARKING STALL: The linear dimension measured across the stall and parallel to the maneuvering aisle.

YARD: An unoccupied space open to the sky on the same lot with a building or structure.

Renumber Section 4.6 Use Regulation Schedule and amend as follows:

APPENDIX A
TABLE OF USE REGULATIONS
D I S T R I C T S

| USE | R40 | R80 | FA | LB | COM | TR | P | INS | MN | MFD | MFD/55 | CDD | H1 |
|----------------------------------|-----|-----|----|----|-----|----|---|-----|----|-----|--------|-----|----|
| A. RESIDENTIAL USES | | | | | | | | | | | | | |
| 1. Single-family dwelling | Y | Y | Y | Y | SP | Y | N | N | N | Y | Y | N | N |
| 2. Two-Family dwelling | N | N | N | N | N | N | N | N | N | PB | N | N | N |
| 3. Multi-family dwelling | N | N | N | N | N | N | N | N | N | PB | N | N | N |
| 4. Multi-family dwelling/55 | N | N | N | N | PB | N | N | N | N | PB | PB | N | N |
| 5. Community Development Project | N | N | N | N | N | N | N | N | N | N | N | Y | N |
| 6. Cluster Development | PB | PB | N | N | N | N | N | N | N | N | N | N | N |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |

| USE | R40 | R80 | FA | LB | COM | TR | P | INS | MN | MFD | MFD/55 | CDD | HI |
|--|-----|-----|----|----|-----|----|----|-----|----|-----|--------|-----|----|
| B. EXEMPT AND INSTITUTIONAL USES | | | | | | | | | | | | | |
| 1. Use of land or structures for religious purposes | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 2. Use of land or structures for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 3. Child care facility in existing building | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 4. Child care facility in new building | N | N | PB | PB | PB | PB | PB | PB | N | N | N | N | PB |
| 5. Use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture on a parcel of more than five (5) acres in area | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 6. Facilities for the sale of produce, and wine and dairy products on exempt agricultural sites | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 7. Cemeteries, private | SP | SP | N | N | N | N | N | Y | SP | N | N | N | SP |
| 8. Municipal parks and playgrounds | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 9. Other municipal facilities | PB | PB | PB | PB | PB | PB | PB | PB | Y | PB | PB | Y | PB |
| 10. Essential services | N | N | N | N | PB | N | N | N | PB | N | N | N | PB |
| 11. Water towers and reservoirs | PB | PB | PB | PB | PB | PB | PB | PB | PB | PB | N | N | PB |
| 12. Hospital | PB | PB | N | N | PB | N | N | Y | PB | N | N | N | PB |
| | | | | | | | | | | | | | |

| USE | R40 | R80 | FA | LB | COM | TR | P | INS | MN | MFD | MFD/55 | CDD | HI |
|--|-----|-----|----|----|-----|----|----|-----|----|-----|--------|-----|----|
| C. COMMERCIAL USES | | | | | | | | | | | | | |
| 1. Nonexempt farm stand for wholesale or retail sale of products | N | N | Y | N | PB | N | N | N | N | N | N | N | PB |
| 2. Nonexempt educational use | PB | PB | PB | PB | PB | PB | PB | Y | Y | PB | PB | Y | PB |
| 3. Nonexempt agricultural use | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 4. Animal clinic or hospital; kennel | N | N | N | N | PB | N | N | N | N | N | N | N | PB |
| 5. Personal service establishment | N | N | N | SP | Y | SP | N | N | N | N | N | SP | Y |
| 6. Funeral home | N | N | N | N | PB | N | N | N | N | N | N | N | PB |
| 7. Hotel/motel | N | N | N | N | PB | N | N | N | N | N | N | N | PB |
| 8. Bed and Breakfast | N | N | N | N | Y | Y | N | N | N | N | N | N | N |
| 9. Retail food or drug store | N | N | N | PB | Y | PB | N | N | N | N | N | PB | PB |
| 10. Retail sale of alcoholic beverages | N | N | N | N | Y | N | N | N | N | N | N | N | Y |
| 11. Retail sales not elsewhere set forth | N | N | N | N | Y | PB | N | N | N | N | N | N | Y |
| 12. Motor vehicle, motorcycle, trailer, snowmobile, or boat sales and rental | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 13. Motor vehicle light service; Motor vehicle general and body repair | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 14. Car wash | N | N | N | N | SP | N | N | N | N | N | N | N | N |
| 15. Garage for automotive storage | N | N | N | N | SP | N | N | N | N | N | N | N | SP |
| 16. Limousine, taxicab or livery business | N | N | N | N | SP | N | N | N | N | N | N | N | SP |
| 17. Automotive stereo systems installations | N | N | N | N | SP | N | N | N | N | N | N | N | SP |
| 18. Restaurant | N | N | N | N | Y | PB | N | N | N | N | N | PB | PB |
| 19. Restaurant, fast- food or drive-in | N | N | N | N | PB | PB | N | N | N | N | N | PB | PB |
| 19. Business or professional office | N | N | N | N | Y | Y | N | N | Y | N | N | PB | Y |
| 20. Freestanding ATM or kiosk for public use | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 21. Adult day care | N | N | N | N | N | N | N | N | N | N | N | Y | N |
| 22. Indoor commercial recreation | N | N | N | N | PB | N | N | N | N | N | N | N | PB |
| 23. Outdoor commercial recreation | N | N | N | N | PB | N | N | N | PB | N | N | N | PB |
| 24. Membership club, civic, social, professional or fraternal organization | N | N | N | N | SP | N | N | N | N | N | N | N | SP |
| 25. Adult use establishment | N | N | N | N | N | N | N | N | N | N | N | N | PB |
| 26. Wireless Communications Facility | N | N | N | N | N | N | N | N | PB | N | N | N | N |
| 27. Airport, airfield or airstrip | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 28. Mobile parked food service | N | N | N | N | SP | N | N | N | N | N | N | N | N |
| 29. Itinerant roadside vending | N | N | N | N | BOS | N | N | N | N | N | N | N | N |
| 30. Massage parlor | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 31. Major Commercial Project | N | N | N | N | PB | N | N | N | N | N | N | N | PB |
| 32. Massage Therapy (Licensed) | N | N | N | N | Y | N | N | N | N | N | N | N | N |

| USE | R40 | R80 | FA | LB | COM | TR | P | INS | MN | MFD | MFD/55 | CDD | HI |
|---|-----|-----|----|----|-----|----|---|-----|----|-----|--------|-----|----|
| D. INDUSTRIAL USES | | | | | | | | | | | | | |
| 1. Removal of loam, sand or gravel | N | N | N | N | N | N | N | N | PB | N | N | N | PB |
| 2. Research laboratories, manufacture of equipment, electronics industry, assembling of electrical appliances | N | N | N | N | N | N | N | N | N | N | N | N | Y |
| 3. Welding shop | N | N | N | N | N | N | N | N | N | N | N | N | Y |
| 4. Machine shop | N | N | N | N | N | N | N | N | N | N | N | N | Y |
| 5. Stone or monument works | N | N | N | N | PB | N | N | N | N | N | N | N | Y |
| 6. Ceramic products manufactured by electrical kilns | N | N | N | N | Y | PB | N | N | N | N | N | N | N |
| 7. Manufacturing | N | N | N | N | N | N | N | N | N | N | N | N | PB |
| 8. Sale of products at retail manufactured on the premises | N | N | N | N | PB | N | N | N | N | N | N | N | PB |
| 9. Wholesale, warehouse, self-storage mini-warehouse, or distribution facility | N | N | N | N | N | N | N | N | N | N | N | N | PB |
| 10. Farm supply warehouse | N | N | PB | N | PB | N | N | N | N | N | N | N | PB |
| 11. Heating fuel storage and sales | N | N | N | N | N | N | N | N | N | N | N | N | PB |
| 12. Contractor's yard or landscaping business | N | N | N | N | N | N | N | N | N | N | N | N | PB |
| 13. Junkyard or automobile salvage yard | N | N | N | N | N | N | N | N | N | N | N | N | N |
| 14. Transportation or freight terminal | N | N | N | N | N | N | N | N | N | N | N | N | PB |
| 15. Truck stop | N | N | N | N | N | N | N | N | N | N | N | N | N |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |

Renumber Section 5.3 Schedule of Lot Coverage and Dimensional Requirements and amend as follows:

APPENDIX B

TABLE OF DIMENSIONAL REQUIREMENTS

| DISTRICT | Min. Lot Area (acre) | Min. Frontage (ft.) | Min. front yard (ft.) | Min. side and rear yard (ft.) | Max. Building Height (stories/ ft.) | Max. Building Coverage (% of lot) |
|----------|----------------------|---------------------|-------------------------------|-------------------------------|-------------------------------------|-----------------------------------|
| R40 | 1.0 | 150 | 25 | 15 | 2.5 / 35 | 15 |
| R80 | 2.0 | 200 | 25 | 15 | 2.5 / 35 | 15 |
| FA | 1.5 | 150 | 50 | 15 | 2.5 / 35 | 20 |
| LB | 1.0 | 150 | 25 | 15 | 2.5 / 35 | 15 |
| COM | 1.0 | 150 | 40 dwellings 50 all others | 15 dwellings 30 all others | 2.5 / 35 | 30 |
| TR | 1.0 | 150 | 25 | 15 | 2.5 / 35 | 15 |
| P | 1.0 | 150 | 50 | 15 | 2.5 / 35 | - |
| INS | 5.0 | 150 | 150 | 150 | 2.5 / 35 | 30 |
| MN | 1.0 | 150 | 25 | 15 | - | - |
| MFD | 4.0 | 40 | - | - | 3/45 | - |
| MFD/55 | 12.0 | 150 | - | - | 3/45 | - |
| CDD | 12.0 | 150 | 150 | - | 2.5 / 35 | - |
| HI | 1.0 | 150 | 150 | 50 | 2.5/35 | 35 |
| | | | | | | |
| | | | | | | |

APPENDIX C
TABLE OF PARKING REQUIREMENTS

| PRINCIPAL USE | REQUIRED SPACES |
|--------------------------------|--|
| A. RESIDENTIAL USES | |
| 1. Single-family dwelling | Three (3) spaces for each dwelling unit, one (1) of which may be covered |
| 2. Two-family dwelling | Three (3) spaces for each dwelling unit, one (1) of which may be covered |
| 3. Multi-family dwelling | Two (2) spaces for each dwelling unit |
| 4. Multi-family dwelling/55 | Two (2) spaces for each dwelling unit |
| 5. Assisted living facility | As set forth in Section 7400 |
| 6. Continuing care retirement | As set forth in Section 7400 |
| 7. Independent living facility | As set forth in Section 7400 |
| 8. Long-term care facility | As set forth in Section 7400 |
| 9. Cluster Development | Two (2) spaces for each dwelling unit |
| | |
| | |
| | |

| PRINCIPAL USE | REQUIRED SPACES |
|--|--|
| B. EXEMPT AND INSTITUTIONAL USES | |
| 1. Use of land or structures for religious purposes | One (1) space for every three (3) seats |
| 2. Use of land or structures for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation | One (1) space for each staff position, plus one (1) space for each five (5) persons of rated capacity of the largest auditorium, plus one (1) space for each student vehicle which can be expected at any time on the premises |
| 3. Child care facility in existing building | One (1) space for every four (4) children plus one (1) space for every employee on the largest shift |
| 4. Child care facility in new building | One (1) space for every four (4) children plus one (1) space for every employee on the largest shift |
| 5. Use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture on a parcel of more than five acres in area | Not applicable |
| 6. Facilities for the sale of produce, and wine and dairy products on exempt agricultural sites | One (1) space for each two hundred (200') feet of gross floor area if customers are served in a structure |
| 7. Cemeteries, private | As determined by the Planning Board |
| 8. Municipal parks and playgrounds | As determined by the Planning Board |
| 9. Other municipal facilities | As determined by the Planning Board |
| 10. Essential services | As determined by the Planning Board |
| 11. Water towers and reservoirs | As determined by the Planning Board |
| 12. Hospital | As determined by the Planning Board |
| | |

| PRINCIPAL USE | REQUIRED SPACES |
|--|--|
| C. COMMERCIAL USES | |
| 1. Nonexempt farm stand for wholesale or retail sale of products | Up to ten (10), as may be determined by the Planning Board |
| 2. Nonexempt educational use | One (1) space for each staff position, plus one (1) space for each five (5) persons of rated capacity of the largest auditorium, plus one (1) space for each student vehicle which can be expected at any time on the premises |
| 3. Animal clinic or hospital; kennel | One (1) space for each two hundred (200') feet of gross floor area |
| 4. Personal service establishment | One (1) space for each two hundred (200') feet of gross floor area |
| 5. Funeral home | One (1) space for every three (3) seats plus one (1) space for every employee on the largest shift |
| 6. Hotel/motel | One (1) space for each sleeping unit, plus one (1) space for each employee on the largest shift |
| 7. Bed and Breakfast | One (1) space for each sleeping unit, plus two (2) spaces for the dwelling unit |
| 8. Retail food or drug store | One (1) space for each two hundred (200') feet of gross floor area |
| 9. Retail sale of alcoholic beverages | One (1) space for each two hundred (200') feet of gross floor area |
| 10. Retail sales not elsewhere set forth | One (1) space for each two hundred (200') feet of gross floor area |
| 11. Motor vehicle, motorcycle, trailer, snowmobile, or boat sales and rental | One (1) space for each two hundred (200') feet of gross floor area |
| 12. Motor vehicle general and body | Three (3) spaces for each service bay, plus one (1) repair space for each employee on the largest shift |
| 13. Motor vehicle light service | Three (3) spaces for each service bay, plus one (1) space for each employee on the largest shift |
| 14. Car wash | Not applicable |
| 15. Garage for automotive storage | Not applicable |
| 16. Limousine or Taxicab business | Not applicable |
| 17. Automotive stereo system installations | One (1) space for each two hundred (200') feet of gross floor area |
| 18. Restaurant | One (1) space for every two and one half (2½) seats plus one (1) space for every employee on the largest shift |
| 19. Restaurant, fast-food or drive-in | One (1) space for each two hundred (200') feet of gross floor area |
| 20. Business or professional office | One (1) space for each two hundred (200') feet of gross floor area |
| 21. Freestanding ATM or kiosk for public use | Not applicable |

| PRINCIPAL USE | REQUIRED SPACES |
|--|--|
| 22. Adult day care | One (1) space for every four (4) adults plus one (1) space for every employee on the largest shift |
| 23. Indoor commercial recreation | One (1) space for each two hundred (200') feet of gross floor area |
| 24. Outdoor commercial recreation | As determined by the Planning Board |
| 25. Membership club, civic, social, professional or fraternal organization | One (1) space for every three (3) seats plus one (1) space for every employee on the largest shift |
| 26. Adult use establishment | One (1) space for every three (3) seats plus one (1) space for every employee on the largest shift |
| 27. Wireless Communications Facility | One (1) space |
| 28. Airport, airfield or airstrip | Not applicable |
| 29. Mobile parked food service | Not applicable |
| 30. Itinerant roadside vending | Not applicable |
| 31. Nursing or convalescent home | One (1) space for each two (2) beds, plus one (1) space for each employee on the largest shift |

| PRINCIPAL USE | REQUIRED SPACES |
|---|--|
| D. INDUSTRIAL USES | |
| 1. Removal of loam, sand or gravel | Not applicable |
| 2. Research laboratories, manufacture of equipment, electronics industry, assembling of electrical appliances | One (1) space for each two thousand (2,000) square feet of gross floor area for the first twenty thousand (20,000) square feet plus, one (1) space for each additional ten thousand (10,000) square feet of gross floor area and one (1) space per employee on the largest shift |
| 3. Welding shop | See manufacturing |
| 4. Machine shop | See manufacturing |
| 5. Stone or monument works | See manufacturing |
| 6. Ceramic products manufactured by electrical kilns | See manufacturing |
| 7. Manufacturing | One (1) space for each two thousand (2,000) square feet of gross floor area for the first twenty thousand (20,000) square feet plus, one (1) space for each additional ten thousand (10,000) square feet of gross floor area and one (1) space per employee on the largest shift |
| 8. Sale of products at retail manufactured on the premises | One (1) space for each two hundred (200') feet of gross floor area devoted to retail |
| 9. Wholesale, warehouse, self-storage, mini-warehouse, or distribution facility | See manufacturing |
| 10. Farm supply warehouse | See manufacturing |
| 11. Heating fuel storage and sales | As determined by the Planning Board |
| 12. Contractor's yard | As determined by the Planning Board |
| 13. Junkyard or automobile salvage yard | Not applicable |
| 14. Transportation or freight terminal | As determined by the Planning Board |
| 15. Truck stop | Not applicable |
| | |
| | |

APPENDIX D

ZONING MAP- DESCRIPTIONS

For the purpose of this By-Law, the Town of Tewksbury is divided into thirteen types of zoning districts as shown below. Said districts are shown, defined and bounded on the map accompanying this By-Law entitled "Town of Tewksbury Zoning Map dated March 27, 2002" and on file with the Town Clerk. Said map and all explanatory matter therein are hereby made a part of this By-Law.

COM (133 Market)

- a. A parcel of land bounded southwesterly by Andover Street, 120 feet; southerly and easterly by River Road, 280 feet, easterly by other land of Merrimack Meadows Corp., 520 feet; northeasterly by other land of Merrimack Meadows Corp. 310 feet, more or less, westerly by the Lowell-Tewksbury Town Line, 700 feet, more or less.

COM (Mobil Station, River Road)

- b. Now or formerly Blanchard lot consisting of one (1) acre, more or less, located at the Lowell City Line and North Tewksbury, bounded on the north by River Road and on the south by Andover Street.

COM (Brooks Drug Store)

- c. Now or formerly Adams lot consisting of one and a half acres, more or less, bounded on the west by the Lowell-Tewksbury Town Line, 350 feet, more or less and on the north by Andover Street, 193 feet, more or less.

COM (All of Main Street)

- d. Two hundred ninety-one (291) feet on each side of Main Street from the Lowell line to the Wilmington Line, where the frontage of a lot of land is on Main Street. (Unless otherwise zoned).

COM (IH property Main St.)

- e. Two hundred ninety-one (291) feet on the north side of Main Street from the land of Ashland Chemical Co. to Capital Avenue, where the frontage of a lot of land is on Main Street.

COM (Promenade Market)

- f. A parcel of land containing 49,800 square feet of land is situated on the westerly side of Pike Street and the southerly side of Astle Street. Said land is shown on Tewksbury Assessor's Map 22 Lot 17.

P (North St. Soccer Fields)

- g. A certain parcel owned by the Town of Tewksbury, bounded on the north by land of B&M Railroad; on the east by Land of Yee and Commonwealth of Massachusetts, on the south by land of Patten Green Condo Association and on the west by land of Sullivan, Town of Tewksbury, Strem, and North Street. Said land is shown on the Tewksbury Assessor's Map 63 Lot 43.

MN (Town Hall)

- h. A parcel of land containing 37,000 square feet and bounds on the south by Town Hall Avenue. Said land is shown on Tewksbury Assessor's Map 47 Lot 90.

MN (North St. School)

- i. A parcel of land containing 17 acres and is bounded on the west by North Street. Said land is shown on Tewksbury Assessor's Map 62 Lot 11.

MN (Fire Station/Library)

- j. A parcel of land containing 1.51 acres and bounded on the north by Town Hall Avenue. Said land is shown on Tewksbury Assessor's Map 47 Lot 94.

MN (Center School/Football Field)

- k. A parcel of land containing 25 acres and is bounded on the east by Pleasant Street. Said land is shown on Tewksbury Assessor's Map 47 Lot 40.

MN (High School)

- l. A parcel of land containing 55.49 acres and is bounded on the west by Pleasant Street. Said land is shown on Tewksbury Assessor's Map 46 Lot 32.

MN (DPW/Sughrue Building)

- m. A parcel of land containing 11 acres and bounded on the north by Whipple Road and on the east by Pine Street. Said land is shown on Tewksbury Assessor's Map 30 Lot 26.

FA (3 Lots Between Lemelin Property & Existing Residential Zone)

- n. That portion of Town on the southwest side of Livingston Street beginning at the intersection of land of Lemelin and land of Yee, thence along Livingston Street 1700 feet, more or less, to a point; thence southwest along said land of Cooney to a point; thence southeast along said land of Cooney to a point; and along said land of Cooney and land of Brenden to a point; thence northwest along said land of Brenden to a point; thence southwest 1300 feet more or less, to land of Boston and Maine Railroad; thence along the northeasterly line of Boston and Maine Railroad 1700 feet more or less, to a point; thence northeasterly along Land of Lemelin to the point of beginning.

FA (East St. to B&M Tracks)

- o. That portion of Town beginning at the intersection of land of Boston and Maine Railroad and Livingston Street; thence southwest along line titled "Limit of Residential Development", thence south along said Limit to a point; thence west along said Limit to a point; thence south along said Limit to a point; thence west along said Limit to a point; thence south along said Limit to the northwest side of Chandler Street; thence along Chandler Street to East Street; thence west on East Street to land of Pilcher; thence north to land of Patten Green Condo Assoc., thence east along said land of Condo Assoc. to a point; thence north along said land of Condo Assoc., to a line titled "Limit of Parks"; thence northeast along said Park limit to land of Yee; thence northwest along said Park limit to a point thence north to southern side of land of Boston and Maine Railroad; thence southeast along said Railroad land 1950 feet, more or less, to the point of beginning.

R40 (Livingston & Chandler St.)

- p. That portion of Town thus bounded: Beginning on the north side of Chandler Street and southwest corner of land of Berms; thence north along land of Berms and Commonwealth of Massachusetts to a point; thence east along land of Tewksbury Cemetery Corp. to a point; thence north along said Cemetery land to a point; thence east along land of Tewksbury Rod & Gun Club, Inc. to a point; thence along said Gun Club land to a point; thence northeast along land of Tewksbury Rod & Gun Club, Inc. to a point of intersection land of Boston & Maine Railroad and Livingston Street; thence south along the West side of Livingston Street to Chandler Street; thence along the north side of Chandler Street to the point of beginning.

R40 (Residential Between Chandler & Livingston)

- q. That portion of the Town beginning at the intersection of the south line of Chandler Street and the west line of Livingston Street, thence south along Livingston Street 307 feet, more or less; thence west along land of Commonwealth of Massachusetts 320 feet, more or less; thence northwest along said Commonwealth land 170 feet, more or less; to Chandler Street; thence along Chandler Street to the point of beginning.

P (Land Abutting Little League Fields on East & Chandler Streets)

- r. That portion of the land situated on the north side of East Street beginning at the intersection of East Street and Livingston Street; thence west along East Street 380 feet, more or less, to a point; thence northwest along line titled "Limit of Parks" to Chandler Street; thence northeast along Chandler Street 560 feet, more or less, to a point; thence southeast a long land of LaFortune to a point; thence east along land of Weber and Chandonnet to Livingston Street to the point of beginning.

P (Little League Fields)

- s. The portion of land situated on the north side of East Street beginning at a point; thence west along East Street 1200 feet, more or less, to intersection of East Street and Chandler Street; thence along the south line of Chandler Street 1000 feet, more or less, to a point; thence southeast back to the point of beginning.

FA (All State Land North Side of East St.)

- t. That portion of Town beginning at the intersection of land of the Boston & Maine Railroad and land of Geary; thence southwest along said land of Geary and land of Cliff to a point; thence south along lands of Cliff, Vornberger and Kelley to a point; thence southeast along lands of Kelley and Griffin to East Street; thence along the northerly side of East Street 3300 feet, more or less, to Livingston Street; thence north along Livingston Street to land of Chandonnet; thence east along said land of Chandonnet to a point; thence north along lands of Chandonnet, McDonald and Mann to a point; thence southeast along land of Sullivan to a point; thence northeast along land of said Sullivan to land of Boston and Maine Railroad; thence east along land of said Boston and Maine Railroad 1600 feet, more or less, to the point of beginning.

MN (Junior High School)

- u. A parcel of land containing 21.82 acres and is bounded on the south by Victor Drive. Said land is shown on Tewksbury Assessor's Map 73 Lot 19.

R40 (Between Carter & East St.)

- v. A portion of Town beginning at the intersection of Carter Street and East Street, thence continuing along the east side of Carter Street to the northeast intersection of Carter Street and Leston Street 1050 feet, more or less; thence on a line to a point of intersection of land of Irving. Lemelin and Connor Construction 980 feet, more or less; thence along Lemelin-Connor boundary to East Street 230 feet, more or less, thence along the north side of East Street 1920 feet, more or less, to the point of beginning.

P (Livingston Street Park)

- w. A certain parcel owned by the Town of Tewksbury, bounded on the east by Livingston Street 2160 feet, more or less. Said land shown on Tewksbury Assessor's Map 86 Lot 23.

COM (Land Across from Colonial Drive)

- x. A parcel of land bounded on the west by Main Street 226 feet, more or less. Said land is shown on Tewksbury Assessor's Map 59 Lot 58.

COM (Main St. to Blease Drive)

- y. Beginning at the northeast corner of the premises at the intersection of Main Street and land now or formerly of McDermott, thence southeasterly by said land 580 feet, more or less; southerly by land now or formerly of said McDermott, 175 feet, more or less; southeasterly by land now or formerly by Germano, 210 feet, more or less; northwesterly by land now or formerly of Palmer, 360 feet, more or less; northwesterly by land now or formerly of Blease, 173 feet, more or less; northwesterly by land now or formerly by said Blease, 335 feet more or less; westerly by land now or formerly of said Blease, 40 feet, more or less; northeasterly by Main Street, 173 feet, more or less; to the point of beginning.

TR (Land Abutting Aubut's Mall)

- z. Two hundred ninety-one (291) feet on the north side of Main Street beginning at the intersection of land of F.I.C. Associates and Haines and ending at the intersection of land of Gleason and Aubut 1050 feet, more or less.

TR (Land Abutting Hinckley Road)

- aa. Two hundred ninety-one (291) feet on the south side of Main Street at the intersection of land of Hy-Mare Inc. and Ashdown and ending at the intersection of Hinckley and Massachusetts Centers Inc., 550 feet, more or less.

COM (Aubut Mall to Livingston Street)

- bb. That portion of land situated on the north side of Main Street at the intersection of land of Gleason and land of Aubut, thence, northeast along land of Aubut 300 feet, more or less, to a point, thence along a line 300 feet from, and parallel to, Main Street to land of First Colonial; thence northeast along said first Colonial land to Livingston Street; thence south along Livingston Street to Main Street 375 feet, more or less; thence northwest along Main Street 1350 feet, more or less to the point of beginning.

COM (Heath Brook Plaza to Funland)

- cc. That portion of land situated on the southwesterly side of Main Street between stations 236 and 253 as shown on Plan of Main Street, Tewksbury, as laid out by the Massachusetts State Highway Commission, August 11, 1904, and bounded; northeasterly by Main Street, 1560 feet; southerly and southeasterly on various courses in part by a stone wall and by land now or formerly of one McLaren, 1,358 feet, more or less, southwesterly by the center of Heath Brook about 2,393 feet; northwesterly by land now or formerly owned by one Hinckley, 1,140 feet, more or less, containing 45 acres more or less.

COM (Oakdale Mall/Chinese Restaurant)

- dd. Land at the northerly intersection of Main Street and Shawsheen Street, Bounded on the south by Main Street and on the East by Shawsheen Street. Said land is shown on Tewksbury Assessor's Map 84 Lot 24 and Map 84 Lot 83 totaling 12 acres, more or less.

MN (Heath Brook School)

- ee. A parcel of land containing 18.6 acres and is bounded on the west by Shawsheen Street. Said land is shown on Tewksbury Assessor's Map 70 Lot 195.

R40 (South Street)

- ff. That portion of Town beginning at a point 300 feet southeasterly from South Street on the Andover-Tewksbury boundary line; thence along said line to the Wilmington-Tewksbury boundary line; thence along the Wilmington-Tewksbury line a distance of 400 feet, thence northwest along a line parallel to the Andover-Tewksbury boundary line to land of Boncore; thence north by

northeast along said land of Boncore, Belmonte, McWatt & Mulvey to a point 300 feet from South Street; thence along a line 300 from, and parallel to South Street in the direction of Andover, to the point of beginning.

R40 (Barbara D. Lane Area)

- gg. A portion of Town thus bounded; beginning at a point 300 feet east of South Street at the intersection of land of Tewksbury-Wilmington Lodge and Vazza; thence along said boundary to land of Prato; thence northeast to intersection of land of Lamonica and land of Witter; thence Southeast to land of Town of Tewksbury; thence northeast to land of Logan; thence northwest along the north side of Poplar Street to the intersection of land of Tewksbury-Wilmington Lodge and land of DeCosta; thence northeast along land of DeCosta to the land of Town of Tewksbury; thence northwest to the intersection of land of Town of Tewksbury; Russell and Tewksbury-Wilmington Lodge; thence along Russell Lodge boundary to a point of 300 feet east of South Street; thence along a line 300 feet east of and parallel to South Street to the point of beginning.

MN (Trahan School)

- hh. A parcel of land containing 6.5 acres and bounded on the south by Salem Street. Said land is shown on Tewksbury Assessor's Map 96 Lot 110.

MN (South St. Fire Station)

- ii. A parcel of land containing 3.28 acres and is bounded on the north by Salem Street, on the west by South Street and on the south by Main Street. Said land is shown on Tewksbury Assessor's Map 95 Lot 99.

R40 (Fire Station - Town Line/Salem Street)

- jj. A portion of thus Town bounded; beginning at a point 291 feet east of Main Street and 300 feet south of Salem Road; thence along a line 300 feet from, and parallel to Salem Street to the Tewksbury-Wilmington line, thence along said line to a point 291 feet from Main Street; thence along a line 291 feet from, and parallel to, Main Street to the point of beginning.

MN (North Street Fire Station)

- kk. A parcel of land containing 1 acre and bounded on the southwest by North Street. Said land is shown on Tewksbury Assessor's Map 52 Lot 23.

R40 (Washington Street)

- ll. That portion of Town beginning at the intersection of Old Boston Road and the eastern boundary of land of Pitts, thence along the northeasterly side of Old Boston Road to land of New England Power Company, a distance of 1,330 feet, more or less; thence along said land of New England Power Company to Rockland Street, a distance of 75 feet, more or less, thence along the east side of Rockland Street to Grape Street, a distance of 250 feet, more or less, thence along the north side of Grape Street to land of Massachusetts Electric Company, a distance of 595 feet, more or less, thence north along the western side of said land of Massachusetts Electric Company to a point, a distance of 35 feet, more or less, thence east along the north side of said land of Massachusetts Electric Company to a point, a distance of 80 feet, more or less, thence south along line of 80 feet parallel to Washington Street to land of Boston and Maine Railroad, a distance of 1,055 feet, more or less, thence northwest along said land of Boston and Maine Railroad to Old Boston Road, a distance of 50 feet, more or less, thence southeast along the northeast edge of Old Boston Road to land of Pitts, a distance of 180 feet, more or less, thence southeast along said land of Pitts to a point, a distance of 283 feet, more or less, thence southwest along said land of Pitts a distance of 85 feet, more or less, to the point of beginning.

Said parcels are shown on the Tewksbury Assessor's Map 34 Lots 30, 31 and 32; Map 48 Lot 32; Lots 42, 43, and 44, Lots 46 through 49 inclusive, Lots 52 and 53, Lots 55 and 56, Lots 60 through 64 inclusive, Lots 67 through 72, Lots 74, 76, 77, 95 and 96 and a portion of Lot 78.

MN (Dewing School)

- mm. A parcel of land containing 20.38 acres and is bounded on the north by Andover Street. Said land is shown on Tewksbury Assessor's Map 39 Lot 17.

P (Rogers Street)

- nn. A parcel of land containing 27.5 acres and bounded on the north by Rogers Street. Said land is shown on Tewksbury Assessor's Map 20 Lot 26.

FA (East Street Farm Land)

- oo. A parcel of land containing 7.35 acres bounded on the south by Maple Street and on the northwest by East Street. Said land is shown on Tewksbury Assessor's Map 88 Lot 24.

FA (State Property)

- pp. A parcel of land containing 35.2 acres and is bounded on the north by Maple Street. Said land is shown on Tewksbury Assessor's Map 88 Lots 31 and 32.

R40

- qq. All land currently zoned General Residence and Farming shall be rezoned to R40 unless classified otherwise in these zoning By-Laws.

IH (McCann's Lot)

- rr. A parcel of land bounded as follows: Beginning at the intersection of land of McCann 300 feet from Route 38; thence southeast along boundary of Commercial Zone to land of Patch; thence south along said land of Patch to Heath Brook; thence west along Heath Brook to land of Airport Industrial Condominiums; thence north along land of said Condominiums to right-of-way; thence northeast along right-of-way to the point of beginning.

IH (Poplar Street)

- ss. A portion of Town thus bounded; beginning at a point on Poplar Street 1450, more or less, east of South Street at land of DeCosta; thence northeast along land of DeCosta to land to Town of Tewksbury; thence southeast to land of Logan; thence southwest along land of Logan to Poplar Street; thence northwest along Poplar Street 400 feet, more or less, to the point of beginning.

R40 (East Street)

- tt. Those portions of Town identified specifically as follows: Assessor's Map 103, Lot 100 N/F land of Pitts, Assessor's Map 113 Lot 8 N/F land of Rost, Assessor's Map 113 Lot 9 N/F land of Speliotis, Assessor's Map 113, Lot 11 N/F land of Melloy, Assessor's Map 113, Lot 12 N/F land of Brandon.

R40 (Astle Street)

- uu. Those portions of Town identified specifically as follows: Assessor's Map 10, Lot 15 N/F land of Kinney, Assessor's Map 10 Lot 17 N/F land of Mulno, Assessor's Map 10 Lot 18 N/F land of Mulno.

COM (Main Street)

- vv. Parcels known as Tewksbury Assessor's (Tax) Map 34, (Tax) lot 18 and the parcel known as Tewksbury Assessor's (Tax) Map 34 (Tax) Lot 47 from the General Residence and Farming Zoning District to Commercial Zoning District.

R40 (Land off of Memorial Drive)

- ww. Parcel known as Tewksbury Assessor's Map #86, Parcel #25 from heavy industrial to R40 (Sept. 30, 1992 STM, ART. 13)

COM (Germano's Function Hall)

- xx. Beginning at the northwest corner, at land of Donovan, on the southerly side of Main Street, on a curve to the right: $R=1000.94'$ $L=113.91'$ along Main Street to a point at land of Christian to a point, thence $S39\ -07\ -14''W191.0'$ along land of Christian to a point, thence $S65\ -05\ -14''E128.00'$ along land of Christian and Lucas, thence $N58\ 51'\ -35''W88.41'$ along land of Lucas to a point, thence along a curve to the left. $R=20'L=31.42'$ to a point on the southerly side of Main Street to a point at land of Bradanick thence along a curve to the left, $R=20'L=31.42'$ to a point, thence $S21\ 53'\ -42''E155.64'$ along land of Bradanick to a point at land of Towne, thence along land now or formerly Frank Towne $S35\ 38'\ -35''W$ for a distance of 64.60' to an iron pipe thence $S3408'\ -35''W$ along land of now or formerly Hy-Mare Inc. for a distance of 575' to a point, turning $N10\ 51'\ -25''W$ along a line of limit of residential development and assoc. maintenance for a distance of 340.85' continuing along same line $N45\ 47'\ -43''W$, 156.23' thence Main Street, said point being the point of beginning, containing 7.4 acres more or less. continuing along same line $S44\ 12'\ -17''W$ for a distance of 90.00' to a point turning $N45\ 47'\ -43''W$ along same line for a distance of 245' to a point, thence, $N39\ 12'\ -16''E$ along land now or formerly Gerald McDermott for a distance of 546.40' to a point, thence $S46\ 16'\ -24''E$ for 200' to a point, thence $39\ 09'\ -38''E$ along land N/F Fredrick Donovan for 435.60', to a point on the southerly side of Main Street, said point being the point of beginning, containing 7.4 acres more or less.

MN (Foster School/Water Department Land)

- yy. Assessor's Map 47, Lot 76 and Assessor's Map 48, Lot 38, situated on the easterly side of Main Street bounded and described as follows: Beginning at a point at the southeast corner of the premises, said point being on the easterly line of Main Street at the southwest corner of land of now or formerly Carl and Errol Zammlito, thence; northwesterly, by said Main Street, a distance of 542.87 feet, more or less, to a point at the southeast corner of land of now or formerly Massachusetts Electric Company, thence; northeasterly, by said Massachusetts Electric Company land, a distance of 264.99 feet, more or less, to a point thence, southeasterly, by said Massachusetts Electric Company land, a distance of 498.93 feet, more or less, to a point at the northwest corner of said distance of 276.60 feet, more or less, to the point of beginning.

HI (Heavy Industry)

- zz. 1. That portion of Town southwesterly of Woburn Street from the Billerica line to Lowell line. A strip 300 feet in depth north of B&M track, Western Division, extending Lowell line to Andover line and along so-called Spur Track on north side for 300 feet. (Ref. Article 70 of the 1975 Town Meeting as amended).
2. That portion of Town beginning at a point 2,000 feet west of North Street on the B&M Main Line; thence northerly along a line perpendicular to the B&M Track, 2,000 feet; thence westerly along a line parallel to the B&M Track to a point 1,000 feet from Trull Road; thence southerly along a line perpendicular to the B&M Main Track to the B&M Spur Track; thence along Spur Track in a southeasterly direction to the east side of the New England Power Company Transmission Lines, then along said lines in a northerly direction to the B&M Main Line; thence easterly along the B&M Main Track to the point of beginning.
3. That portion of Town beginning at a point on the Lowell and Tewksbury boundary line where it intersects the Boston and Maine Railroad; thence easterly along southern boundary of the B&M RR Main Line to Main Street; thence southeasterly along Main Street to a point 1,100 feet running perpendicular to the B&M Line; thence to a point where it intersects the Lowell Line; thence northerly along Lowell and Tewksbury Line to a point of beginning.
4. That portion of land on the Westerly side of Woburn Street, bounded as follows: NORTHERLY by land now or formerly of Moses C. Page et al, trustees, four hundred forty-two and 00/100 (442.00) feet, more or less; EASTERLY by the westerly line of said Woburn Street, three hundred ninety-two and 34/100 (392.34) feet, more or less; SOUTHERLY by land now or formerly of F. Clifton Bassett, three hundred eighty five and 14/100 (385.14) feet, more or less; WESTERLY by the location of Boston and Maine Railroad, three hundred eighty and 11/100 (380.11) feet, more or less. Being a part of the land comprising lots 16 and 21 inclusive on "Plan of Land in Tewksbury belong to the heirs of Oliver M. Whipple, May 14, 1873, William F. Osgood, Surveyor" which plan is recorded in the Middlesex North District Registry of Deeds, Book of Plans 3A, Plan 9. (Ref. Article 55 of the 1982 Annual Town Meeting which superseded Article 70 of the 1975 Annual Town Meeting).
5. Increase the heavy industrial area running from Livingston Street to the Andover-Tewksbury line from the present width of 300 feet to 1,100 feet.
6. That portion of the Town beginning at a point 1,000 feet, more or less, south of the B&M Railroad Main Line and 150 feet, more or less, east of the easterly sideline of Whittemore Street; thence southerly for 490 feet, more or less, along a line parallel to said Whittemore Street; thence easterly 60 feet, more or less, by land now or formerly of Maestri; thence southerly again 270 feet, more or less, still by land of said Maestri; thence easterly 360 feet, more or less, along a line parallel to said B&M Railroad; thence northeasterly for 940 feet, more or less, to a point which is 1,000 feet plus or minus, southerly of said B&M Railroad and 1,110 feet, more or less, easterly from the point of beginning; thence westerly for 1,110 feet, more or less, along a line parallel to said B&M Railroad to the point of beginning. (Ref. Article 73 of the 1975 Town Meeting and Article 39 of the 1977 Town Meeting, as amended).
7. A parcel of land situated on the westerly side of Woburn Street and shown on a plan of land entitled "Plan of Land in Tewksbury belonging to the heirs of Oliver M. Whipple, May 14, 1873, William F. Osgood, Surveyor" which plan is recorded in the Middlesex North District Registry of Deeds; Book of Plans 3A, Plan 9. Said land is described as follows: Northerly by land now or formerly of Moses C. Page, et al, trustees, 420 feet, more or less; thence easterly by the westerly line of said Woburn Street 392.34 feet, more or less; thence southerly by land now or formerly of F. Clifton Bassett, 385.14 feet, more or less; thence westerly by the location of Boston and Maine Railroad 380.11 feet, more or less. (Ref. Article 55 of the 1984 Annual Town Meeting).
8. That portion of Town beginning at the intersection of the City of Lowell, Town of Billerica and Town of Tewksbury, thence along the Lowell-Tewksbury boundary line to Lowell Street, a distance of 1,800 feet, more or less, thence south along Lowell Street to the southerly side of Park Avenue, a distance of 1,810 feet, more or less, thence east along Park Avenue to North Billerica Road, a distance of 760 feet, more or less, thence south along North Billerica Road to the Billerica-Tewksbury boundary line a distance of 1,830 feet, more or less, thence west along the Billerica-Tewksbury boundary line to the point of beginning, a distance of 4,590 feet, more or less.
9. That portion of Town beginning at the intersection of land of Massachusetts Electric Co., land now or formerly of Barros and the Lowell-Tewksbury boundary line, thence north along the Lowell-Tewksbury boundary line to Interstate Route 495, a distance of 1,100 feet, more or less, thence northeast along Interstate Route 495 to a point 291 feet from State Route 38, a distance of 1,315 feet, more or less, thence southeast 291 feet from and parallel to State Route 38 to Astle Street, a distance of 3,000 feet, more or less, thence West along Astle Street, a distance of 487 feet, more or less, thence northwest along land now or formerly of Lawrence and land now or formerly of Golen, a distance of 300 feet, more or less, thence northeast along land of Golen, a distance of 350 feet, more or less, to a 40 foot right-of-way, thence northwest along the right-of-way a distance of 380 feet more or less, to land now or formerly of General Motors Acceptance Corp., thence west along land of General Motors Acceptance Corp. to land of Mulno, a distance of 1,760 feet, more or less,

thence north along land of Mulno to land of Massachusetts Electric Co., a distance of 700 feet, more or less, thence west along land of Massachusetts Electric Co., a distance of 1,475 feet, more or less, to the point of beginning.

10. That portion of Town beginning at a point on the Lowell-Tewksbury boundary line 291 feet from State Route 38, thence southeast 291 feet from and parallel to State Route 38 to Interstate Route 495, a distance of 244 feet, more or less, thence southwest along Interstate Route 495 to the Lowell-Tewksbury boundary line, a distance of 715 feet, more or less, thence along the Lowell-Tewksbury boundary line to the point of beginning, a distance of 845 feet, more or less.
11. That portion of Town beginning at the Lowell-Tewksbury boundary line 291 feet from State Route 38, thence along said boundary line to Village Street, a distance of 1,465 feet, more or less, thence east along Village Street to the east side of Clark Road, a distance of 490 feet, more or less, thence north along Clark Road, a distance of 680 feet, more or less, thence northeast along the northern boundary of land now or formerly of National Amusements Inc., a distance of 2,010 feet, more or less, thence south along the eastern boundary of land of National Amusements Inc. and land now or formerly of Ginieres to Interstate Route 495, a distance of 3.175 feet, more or less, thence southwest along Interstate Route 495 to a point 291 feet from State Route 38, a distance of 3,200 feet, more or less, thence 291 feet from and parallel to State Route 38 to the point of beginning, a distance of 178 feet, more or less.
12. That portion of Town beginning at the intersection of land 291 feet from State Route 38 and Interstate Route 495, thence northeast along Interstate Route 495 to North Street, a distance of 9,225 feet, more or less, thence along North Street a distance of 620 feet, more or less, thence south-southwest along the eastern boundary of land now or formerly of RJR Vent Ltd. Partnership, a distance of 2,050 feet, more or less, thence south-southeast along the eastern boundaries of land of RJR Vent Ltd. Partnership and the northern and eastern boundaries of land of New England Power Co. to the B&M railroad lines, a distance of 6,300 feet, more or less, thence along the B&M railroad line a distance of 2,250 feet, more or less, thence south along land of Town of Tewksbury a distance of 975 feet, more or less, thence west along lands all now or formerly of Massachusetts Electric Co. to Rockland Street, a distance of 700 feet, more or less, thence south along Rockland Street to Old Boston Road, a distance of 360 feet, more or less, thence southeast long Old Boston Road to a point of 291 feet from State Route 38, a distance of 915 feet, more or less, thence west 291 feet from and parallel to State Route 38 to the point of beginning, a distance of 9,200 feet, more or less.
13. That portion of Town beginning at the intersection of North Street and Interstate Route 495, thence northwest on North Street a distance of 1,025 feet, more or less, thence northeast along land now or formerly of Kaplan a distance of 450 feet, more or less, thence north-northeast along lands of Metropolitan Life Insurance Co. a distance of 1,115 feet, more or less, thence northwest along land of New England Power Co. a distance of 320 feet, more or less, thence northeast along the same land of New England Power Co. a distance of 140 feet, more or less, thence north along other land of New England Power Co. a distance of 1,680 feet, more or less, to the Tewksbury-Andover boundary line, thence southeast along the Tewksbury-Andover boundary line a distance of 2,900 feet, more or less, to Interstate Route 495, thence southwest along Interstate Route 495 to the point of beginning, a distance of 4,000 feet, more or less.
14. That portion of Town beginning at the intersection of North Street and lands of Metropolitan Life Insurance Co. and Children's World Inc., thence northwest along North Street a distance of 400 feet, more or less, to Interstate Route 495, thence northeast along Interstate Route 495 a distance of 4,500 feet, more or less, to the Tewksbury-Andover boundary line, thence southwest along the Tewksbury-Andover boundary line to the intersection of Metropolitan Life Insurance Co. and lands now or formerly of Lannuzzi and of Unger, a distance of 3,850 feet, more or less, thence southwest along land of Metropolitan Life Insurance Co. and across Ames Pond, a distance of 2,300 feet, more or less, thence along the southern boundary of Ames Pond to land of Digital Equipment Corp., a distance of 3,150 feet, more or less, thence southwest along lands of Digital Equipment Corp. and Metropolitan Life Insurance Co. to land now or formerly of Desmond, a distance of 1,510 feet, more or less, thence northwest along land of Metropolitan Life Insurance Co. a distance of 1,050 feet, more or less, thence southwest along land of Metropolitan Life Insurance Co. to a point of beginning, a distance of 252 feet, more or less.
15. That portion of Town beginning at Livingston Street and the intersection of land of the Commonwealth of Massachusetts and land now or formerly of Chandonnet, thence north-northeast along Livingston Street a distance of 2,535 feet, more or less, thence northeast along land now or formerly of Fry, a distance of 275 feet, more or less, thence east to Pinnacle Street along land of Feran, land of Willegal and land of Ricciardi, a distance of 870 feet, more or less, thence east on Pinnacle Street a distance of 300 feet, more or less, thence north along land now or formerly of Piccolo a distance of 390 feet, more or less, thence east to land of Commonwealth of Massachusetts a distance of 95 feet, more or less, thence north along land of Commonwealth of Massachusetts and land of New England Power Co. a distance of 2,080 feet, more or less, thence northeast along land of New England Power Co. a distance of 1,535 feet, more or less, thence south along lands of New England Power Co., a distance of 3,510 feet, more or less, thence northeast to the intersection of Carter Street and Leston Street, a distance of 5,350 feet, more or less, thence southwest on Carter Street to Industrial Avenue a distance of 1,450 feet, more or less, thence east along Industrial Avenue a distance of 900 feet, more or less, thence southwest along land of F.I.C. Associates a distance of 325 feet, more or less, thence west along land of Sullivan a distance of 2,075 feet,

more or less, thence north along land of Commonwealth of Massachusetts a distance of 940 feet, more or less, thence west along the B&M railroad line a distance of 1,600 feet, more or less, thence southeast along land of Sullivan a distance of 1,150 feet, more or less, thence southwest along same land of Sullivan a distance of 80 feet, more or less, thence northwest along land of Sullivan to land now or formerly of Swift, a distance of 480 feet, more or less, thence south along land of Commonwealth of Massachusetts a distance of 300 feet, more or less, thence west along land of Chandonnet to the point of beginning, a distance of 540 feet, more or less.

16. That portion of Town beginning at a point 291 feet from State Route 38 and Livingston Street, a distance of 960 feet, more or less, thence northeast along land of Hupper, a distance of 240 feet, more or less, thence north along same land of Hupper a distance of 590 feet, more or less, thence north-northeast along land of Hupper a distance of 1,480 feet, more or less, thence east along land of Hupper a distance of 325 feet, more or less, thence south-southeast along land of Hupper to a point 291 feet from State Route 38, a distance of 3,920 feet, more or less, thence 291 feet from and parallel to State Route 38 to the point of beginning, a distance of 540 feet, more or less.
17. That portion of Town beginning at the intersection of Whittemore Street and land now or formerly of Sessa and land of DSM Realty Inc., thence north along Whittemore Street to East Street, a distance of 750 feet, more or less, thence northeast along East Street to the Tewksbury-Andover boundary line, a distance of 4,020 feet, more or less, thence southeast along the Tewksbury-Andover boundary line to the B&M railroad line a distance of 2,630 feet, more or less, thence west along the B&M railroad line, a distance of 1,800 feet, more or less, thence southeast along land of Shawsheen Industrial Condo, a distance of 300 feet, more or less, thence southwest along land of Shawsheen Industrial Condo a distance of 315 feet, more or less thence west along land of Shawsheen Industrial Condo and land of Colucciolo to the west side of Shawsheen Street, a distance of 750 feet, more or less, thence southwest along Shawsheen Street to intersection of land of New England Power and land of Seifer, a distance of 1,150 feet, more or less, thence northwest along the land of Seifer to land of DSM Realty Inc., a distance of 410 feet, more or less, then west along land of DSM Realty Inc., a distance of 600 feet, more or less, thence south along land of DSM Realty Inc., a distance of 1,145 feet, more or less, thence northwest along land of DSM Realty Inc., a distance of 750 feet, more or less, thence north along land of DSM Realty Inc., a distance of 610 feet, more or less, thence west along land of DSM Realty Inc., a distance of 150 feet, more or less, to the point of beginning.
18. That portion of Town beginning at East Street and the intersection of land now or formerly of Pitts and land now or formerly of East Street Associates, thence southwest along East Street, a distance of 34 feet, more or less, thence northwest along land of East Street Associates, a distance of 225 feet, more or less, thence northeast along land of East Street Associates and land of Digital Equipment Corp. to the Tewksbury-Andover boundary line, a distance of 1,075 feet, more or less, thence southeast along the Tewksbury-Andover boundary line to East Street, a distance of 825 feet, more or less, thence southwest along East Street, a distance of 525 feet, more or less, thence northwest along land of Brandon a distance of 200 feet, more or less, thence southwest along land of East Street Associates to East Street, a distance of 260 feet, more or less, thence southwest along East Street a distance of 50 feet, more or less, thence northwest along land now or formerly Speliotis, a distance of 100 feet, more or less, thence southwest along land of East Street Associates a distance of 275 feet, more or less, thence southwest along land of East Street Associates to the point of beginning, a distance of 100 feet, more or less.
19. That portion of Town beginning at the intersection of a point 291 feet from State Route 38, land of McCann and a right-of-way, thence southeast to Heath Brook a distance of 310 feet, more or less, thence along Heath Brook to land of Town of Tewksbury, a distance of 1,000 feet, more or less, thence north along land of Airport Industrial Condominiums and land of Chestnut Builders to a point 291 feet from State Route 38, a distance of 990 feet, more or less, thence southeast 291 feet from and parallel to State Route 38 to the point of beginning, a distance of 355 feet, more or less.
20. That portion of Town beginning at intersection of southern boundary of land of Raytheon Company and Interstate Route 495, thence northwest along land of Raytheon Co., a distance of 1,100 feet, more or less, thence northeast along land of Raytheon Co., a distance of 2,300 feet, more or less, thence north along northern boundary of land of Raytheon Co. to North Street, a distance of 675 feet, more or less, thence southeast along North Street to Interstate Route 495, a distance of 1,375 feet, more or less, thence southwest along Interstate Route 495 to the point of beginning, a distance of 3,270 feet, more or less.
21. That portion of Town beginning at Livingston Street and the intersection of land now or formerly of Yee and land now or formerly of Cooney, thence southwest along land of Cooney to the B&M railroad line, a distance of 1,260 feet, more or less, thence west along the B&M railroad line to land of Pheasant Hunt Condos, a distance of 735 feet, more or less, thence northeast along land of Cooney and land of Brenden to Livingston Street, a distance of 1,705 feet, more or less, thence southeast along Livingston Street to the point of beginning, a distance of 705 feet, more or less.
22. That portion of Town beginning at Livingston Street and the intersection of land now or formerly of Trackside Condo Association and the B&M railroad line, thence west along B&M railroad line a distance of 640 feet, more or less, thence

northeast along land now or formerly of Lemelin, a distance of 470 feet, more or less, thence south along Livingston Street to the point of beginning a distance of 544 feet, more or less.

23. That portion of Town beginning at a point 291 feet from State Route 38 and land now or formerly of Belle, thence southwest along land of Belle to Heath Brook, a distance of 115 feet, more or less, thence west along Heath Brook to land of McCann, a distance of 725 feet, more or less, thence north along land of McCann to a point 291 feet from State Route 38, a distance of 260 feet, more or less, thence southeast 291 feet from and parallel to State Route 38 to the point of beginning, a distance of 565 feet, more or less.

MN (New Library)

aaa. Beginning at a point of intersection of land of the Commonwealth of Massachusetts and A&B Automotive thence, north along the east side of State Route 38 to the intersection of said State Route and Chandler Street, a distance of 240 feet, plus of minus thence, northeast along the east side of Chandler Street to the paved entryway to Tewksbury State Hospital, a distance of 270 feet, plus or minus thence, southeast along said paved way a distance of 410 feet, plus or minus, to a point thence, southwest land of A&B Automotive, a distance of 365 feet, plus of minus, along the boundary of land of the Commonwealth of Massachusetts and A&B Automotive to the point of beginning, a distance of 150 feet, plus of minus. Said parcel contains 4.107 acres, more or less.

COM (Main Street)

bbb. Tewksbury Assessor's Map 73 Lot 36 Main Street.

R40

ccc. Tewksbury Assessor's Map 86 Lot 3 & 31 and Map 87 Lots 2, 5, 6 and 7.

MN (Livingston Street)

ddd. A certain parcel of land situated on the easterly side of Livingston Street containing approximately 8.8 acres, bounded and described as follows: Beginning at the northwest corner of the premises, said point being on the easterly line of Livingston Street, approximately 0.6 miles north of the intersection of Main Street and being the southwest corner of land of now or formerly the Tewksbury Housing Authority, thence; N87 15-00"E by said Housing Authority land and land of the Commonwealth of Massachusetts, a distance of 653.93 feet, more or less, to a point, thence; S09 02'-00"E by said Commonwealth land, a distance of 687.00 feet, more or less, to a point, thence; N69 07'48"W by said Commonwealth land, a distance of 272.63 feet, more or less, to a point, thence; 89 04'18"W by said Commonwealth land, a distance of 420.00 feet, more or less, to a point on the easterly line of said Livingston Street, thence; N09 02'-00"W by said easterly line of Livingston Street, a distance of 550.00 feet, more or less, to the point of beginning; and further described as land beginning at a point of intersection of land now or formerly of Olson and the easterly side of Livingston Street; thence north 09 02' west along the easterly side of said Livingston Street a distance of nine hundred and twenty (920.00) feet, plus or minus, to a point; thence along land of Town of Tewksbury south 89 04'18" east a distance of four hundred and twenty (420.00) feet to a point; thence along land of said Town of Tewksbury south 69 07'48" east a distance of two hundred and seventy-two and 63/100 (272.63) feet to a point; thence south 09 02' west a distance of five hundred and sixty-five (565.00) feet, plus or minus, to a point; thence northeast a distance of one hundred and seventy-one (171.0) feet, plus of minus, to a point; thence north 86 08'-10" east a distance of five hundred and eighteen (518.0) feet, plus or minus, to the point of beginning (containing 13.11 acres, more or less).

MN (Livingston Street)

eee. A certain parcel of land situated on the easterly side of Livingston Street containing approximately 8.8 acres, bounded and described as follows: Beginning at the Northwest corner of the premises, said point being on the easterly line of Livingston Street, approximately 0.6 miles north of the intersection of Main Street and being the southwest corner of land of now or formerly the Tewksbury Housing Authority, thence; N87 15'-00"E by said Housing Authority land and land of the Commonwealth of Massachusetts, a distance of 653.93 feet, more or less, to a point, thence; S09 02'-00"E by said Commonwealth land, a distance of 687.00 feet, more or less, to a point, thence; N69 07'48"W by said Commonwealth land a distance of 272.63 feet, more or less, to a point, thence; N 89 04'-18"W by said Commonwealth land, a distance of 420.00 feet, more or less, to a point on the easterly line of said Livingston Street, thence; N09 02'-00"W by said easterly line of said Livingston Street, thence; N09 02'-00"W by easterly line of Livingston Street, a distance of 550.00 feet, more or less, to the point of beginning; and further described as land beginning at a point of intersection of land now or formerly of Olson and the easterly side of Livingston Street; thence north 09 02' west along the easterly side of said Livingston Street a distance of nine hundred and twenty (920.0) feet, plus or minus, to a point; thence along land of Town of Tewksbury south 89 04'-18" east a distance of four hundred and twenty (420.0) feet to a point; thence along land of said Town of Tewksbury south 69 07'-48" east a distance of two hundred and seventy-two and 63/100 (272.63) feet to a point; thence south 09 02' west a distance of five hundred and sixty-five (565.0) feet, plus or minus, to a point; thence northeast a distance of one hundred and seventy-one (171.0) feet, plus or minus, to a point; thence north 86 08'-10" east a distance of five hundred and eighteen (518.0) feet, plus or minus, to the point of beginning (containing 13.11 acres, more or less).

COMM (Hupper land)

fff. A parcel of land with the buildings thereon situated in the Town of Tewksbury, Country of Middlesex Commonwealth of Massachusetts, bounded and described as follows: Beginning at a point at the intersection of the easterly sideline of Livingston Street and the northeasterly side line of Main Street (A.K.A Rte. 38), thence; Northerly along said sideline of Livingston Street a distance of 1,256 feet, more, or less, to a point at land now or formerly of Robert and Jennifer Zaremba, thence; Easterly along said Zaremba land a distance of 230 feet, more or less, to a point thence; Northerly along said Zaremba land, land now or formerly of Glen and Jacqueline Merritt and land now or formerly of Alexander and Janice Olson a distance of 600 feet, more or less, to a point at land now or formerly of the Commonwealth of Massachusetts, thence; Along said Commonwealth land by the following courses; Northeasterly by multiple courses a distance of 294.87 feet, more or less, to the center of a ditch, thence. In a generally northeasterly direction along the cent of said ditch a distance of 540.08 feet to the beginning of a stone wall, thence; Northeasterly by said wall a distance of 119.70 feet, more or less, to the end of said wall, thence; Northeasterly, southeasterly and again northeasterly a total distance of 347.53 feet, more or less, to the center of Strongwater Brook thence; Northerly along the center of said Strongwater Brook a distance of 41.25 feet, more or less, to a point, thence; Easterly, northeasterly, and northerly a total of 427.01 feet, more or less, to a point at land now or formerly of the Town of Tewksbury, thence; Easterly by said Town of Tewksbury land a distance of 311.00 feet, more or less, to a point at land now or formerly of Mary I. Lombardelli, thence; Southerly by said Lombardelli land a distance of 505.56 feet, more or less, to land now or formerly of Aurthur Riddle, thence; Westerly by said Riddle land a distance of 7.23 feet, more or less, to a point, thence; Southerly by said Riddle land and now or formerly of Joseph and Rose Costa, land now or formerly of the Trojan Trust, land now or formerly of James and Patricia Capadanno, and land now or formerly of Peter and Delphine Penfold a total distance of 724.51 feet, more or less, to a point at land of unknown ownership and shown as lot 344 on the Newman Plan referenced below, thence; Westerly along said lot of unknown ownership a distance of 14 feet, more or less, to a point at the center of Strongwater Brook and land now or formerly of Robert and Claire Newman, thence, in a generally westerly direction along the center of Strongwater Brook and said Newman land a distance of 538 feet, more or less, to a point at the intersection of Strongwater Brook and a ditch thence; In a generally southerly and southeasterly direction along the center of said ditch and said Newman land a total distance of 563.43 feet, more or less, to a corner in said ditch and land now or formerly of David and Edna Peters, thence; Southwesterly by the center of said ditch and said Peters land a total distance of 772.91 feet, more or less, to a point at land now or formerly of Scott and Maryann Laferriere, thence; Southwesterly by the center of said ditch and said Laferriere land a distance of 424.11 feet, more or less, to a point at land now or formerly of Thomas and Christine Delaney, thence; Westerly, southwesterly and southerly by the center of said ditch and said Delaney land a total distance of 511.72 feet, more or less, to a point at an intersection of ditches land now or formerly of Henry Matarazzo, thence; Southwesterly by the center of a ditch and said Henry Matarazzo land a distance of 151.59 feet, more or less, to a point at land now or formerly Helen Matarazzo, thence; Southwesterly by said Helen Matarazzo land a distance of 202.82 feet, more or less, to a point on the northeasterly sideline of said Main Street, thence; Northwesterly by said sideline of Main Street a distance of 364.74 feet, more or less to the point of beginning.

Meaning and intending to describe the parcel shown on the Complied Plan of Land in Tewksbury, Mass., Prepared for Hupper Realty Trust, Scale 1" = 100', January 15, 1991 by William G. Troy and Associates, recorded in M.N.R.D. Plan Book 175 Plan 76 Lot 6 as shown on Complied Plan of Land in Tewksbury, Mass., for Walter and Robert E. Newman, Scale 1" = 60', March 30, 1984 by Robert M. Gill and Associates, Inc., recorded in M.N.R.D. Plan book 144 Plan 59.

Said parcel contains approximately 54 acres (per Tewksbury Tax Map 85, lot 45 and map 86, lot 24).

R40

ggg. Assessor's Map 10, Lot 69 consisting of 1.5+ acres.

R40 (Land off Rolling Meadow Road)

hhh. Assessor's Map 10, Lot 68, consisting of 6.6+ acres.

R40

iii. Assessor's Map 23, Lot 69

R40, IH to MFD (STM 10/8/96)

jjj. Assessor's Map 48, Lots 74, 78, 80 and a portion of the Boston and Maine Railroad

MN

kkk. Assessor's Map 22 Lot 1, Astle Street Water Tower

IH (ATM 5/5/97, Art. 25)

lll. Assessor's Map 115, Lots 4, 5, 6, 7, 8, 9, 10.

R40 (Trull Road) (ATM 5/5/97, Art. 26)

mmm. Assessor's Map 11- Lots 20, 25, 26, 27, 28, 29, 30

Assessor's Map 23-Lots 1, 2, 4, 5, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 65, 66, 67, 68

Assessor's Map 24- Lots 3, 4, 5 & 6

CDD

nnn. Assessor's Map 48 Lot 79 (former Court St. wellfield)

IH

ooo. Assessor's Map 34 Lot 38 (STM 5/5/99, Art. 13)

R40

ppp. Rezone from IH to R40 that parcel of land known as a portion of Assessor's Map 12, Lot 4, further described as a parcel of land located in the Town of Tewksbury, County of Middlesex, Commonwealth of Massachusetts and bounded and described as follows: Beginning at a point, on a curve on the easterly sideline of Clark Road, said point being 835.57 feet, more or less, north of the northerly sideline of Eastern Avenue; thence northeasterly by a curve to the right having a radius of 467.13 feet a length of 76.94 feet, more or less; thence northwesterly by a curve to the left having a radius of 473.39 feet a length of 125.2 feet, more or less; thence northeasterly by the thread of Dugway Brook, a distance of 2,025 feet, more or less; thence southeasterly by the thread of Trull Brook, a distance of 1,510 feet more or less; thence S 88 47' 27" W, by land of Ginieres, a distance of 272 feet, more or less; thence N 87 37' 23" W, continuing along land of Ginieres, a distance of 178.78 feet, more or less; thence N 70 53' 14" W, continuing along land of Ginieres, a distance of 177.13 feet, more or less; thence N 27 00' 28" W, along other land of Trull Brook Realty, LLC, a distance of 125.00 feet, more or less; thence N 72 32' 35" W, a distance of 705.25 feet, more or less; thence N 73 51' 59" W, a distance of 786.58 feet, more or less, to the point of beginning. Containing approximately 38 Acres.

The above described parcel is shown on a plan entitled "Proposed Re-Zoning Plan Clark Road – Tewksbury, Massachusetts – prepared for: Trull Brook Realty, LLC," dated November 1, 2000 and prepared by Cuoco & Cormier Engineering Associates, Inc.

COM

qqq. Rezone from Residential (R-40) to Commercial that parcel of land known as a portion of Tewksbury Assessor's Map 60 Lot 107, further described as a parcel of land located in the Town of Tewksbury, County of Middlesex, Commonwealth of Massachusetts and bounded and described as follows: Beginning at a stone bound found at the Northwest corner of the subject parcel: thence S 17 20' 20" E a distance of 14.15' to a point; thence S 15 43' 40" E a distance of 194.02' to a point; thence N 77 28' 40" E a distance of 193.22' to a point; thence N 43 31' 05" W a distance of 217.10' to a point; thence N 43 53' 34" W a distance of 67.31' to a point; thence S 46 00' 50" W a distance of 68.49' to the point of beginning. Said area being 29,826 SF or 0.68 acre.

The above-described parcel is shown as Lot "A" on a plan entitled, "Proposed Rezoning Plan, Main Street, Tewksbury, Massachusetts, prepared for: MacLellan Oil Co." dated March 26, 2001 and prepared by Cuoco & Cormier Engineering Associates, Inc. or take any other action relative thereto, consistent with this article.

rrr.

LB

From a line 300 feet East and parallel to Foster Road on Shawsheen Street, the land 300 feet on each of Shawsheen Street, extending to a line 300 feet West of and parallel to Foster Road.

3.2 ARTS, CRAFTS, ANTIQUES/COTTAGE INDUSTRIES-RESIDENTIAL OVERLAY DISTRICT:

1. This limited district shall include property zoned R40 and R80 only; the lot must be listed on one of the following arterial/primary streets: WHIPPLE ROAD, SHAWSHEEN STREET, EAST STREET, SOUTH STREET, and SALEM ROAD. The limited overlay district shall not extend further than 150' of depth into the lot from the street edge. The overlay shall not apply to lots in the district that do not contain frontage on one of the listed streets.

This section of the Zoning By-Law shall not invalidate any other provision of the Zoning By-Law, applicable to the R40, R80 District.

3.7 FLOOD PLAIN DISTRICT

This is an overlay district rules and regulations pertaining to this district are contained in Section 16.

1. This district is shown by any land being inside the shaded areas, Zone A, A1 through A30 inclusive of the Flood Boundary and Floodway Maps and Flood Insurance Rate Map effective date July 2, 1981.

3.8 MULTIPLE FAMILY DWELLING DISTRICT

- A. Being a parcel of land located on the southwesterly side of Main Street, northerly of, but not adjacent to Nichols Street, and southeasterly of the Shawsheen River and bounded and described as follows: Beginning at a point of the southwesterly side of Main Street at the southeasterly corner of land of John Miglioizzi; thence running southeasterly by Main Street 65' to land of Crossed Keys Realty Trust; thence southwesterly by said land 300' to a point; thence southeasterly by said land 150' to a point of land of Thomas Flurkey; thence southwesterly by said land 246.55' to a point; thence southeasterly by said land 139.45' to a point at land of Haffner Realty Trust; thence southerly by said land and land of Sullivan Realty Trust to a point; thence westerly by lands of Luter Brothers and Libbee to the southeasterly side of Seventh Street; thence northeasterly by Seventh Street 510' more or less to a point; thence northwesterly by Seventh Street 33' feet to a point; thence southwesterly by Seventh Street 25' more or less to a point at land of Giles; thence northwesterly by said land 163' to a point on the southeasterly side of Eighth Street; thence northwesterly by Eighth Street, land of McCormack, Ninth Street and land Klerowski 294' to land of McKenna; thence northeasterly by said land 107' to a point; thence northwesterly by said land 123'; thence southwesterly by said land 93' to a point on the southeasterly side of Tenth Street; thence northwesterly by Tenth Street, and lands of Treanor and Walker 185.27' to a point; thence southwesterly by land of Walker 80' to a point; thence southeasterly by lands of Walker and Treanor 165.3' to the northeasterly side of Tenth Street; thence southwesterly by Tenth Street 80' to land of Creswell, thence northwesterly by land of Creswell 80' to a point; thence southwesterly by land of Creswell 105' to a point of land of Pintacoda; thence southwesterly by said land and land of Gibbens 295' to a point; thence Southeasterly by land of Gibbens 100' to a point, thence southwesterly by land of Butera 40' to a point; thence northwesterly by land of Butera 100' to a point; thence southwesterly by land of Butera 120' to a point at land of Sughrue; thence northwesterly by said land and land of Doucette 275' to a point; thence southwesterly by land of Doucette 130' to a point, thence northwesterly by lands of Martin and Luken Realty trust to a point; thence northeasterly by land of Perry 25' to a point; thence northwesterly by land of Perry 200'; thence northeasterly by land of Lacey three hundred (300) feet more or less; thence northwesterly by land of Lacey 280' more or less to the Shawsheen River; thence northeasterly by the Shawsheen River 1020' more or less to a point; thence southeasterly by land of McCann 1075' more or less to a point; thence southeasterly by land of Batastine 360' to a point; thence southwesterly by land of Harding Realty Trust 186.22' to a point; thence southeasterly by land of Harding Realty Trust 287.97' to a point; thence northeasterly by land of Harding Realty Trust 170' to a point; thence southeasterly by land of Miglioizzi to the point of beginning. Being a parcel of land further described on the Town of Tewksbury Assessor's Maps, Map 83 lots 81, 93, 94, 132, a portion of 113, and Map 96 lots 48 and 50 containing 28 acres more or less and being shown on a plan entitled "Compiled Plan of Land in Tewksbury, Mass. prepared for Armando DeCarolis by Wm. G. Troy & Assoc." dated Feb. 1980. Providing no access road, permanent or emergency, shall in any be connected to Tenth Street. (Ref. to Article 50 of the 1980 Annual Town Meeting/A portion of this article rezoned from MFD to RG per Articles 45 and 46 of the 1982 Annual Town Meeting).
- b. Being a parcel of land located on the northerly side of Shawsheen Street bounded and described as follows: Beginning at a point on the Northwesterly side of Shawsheen Street at land of the Town of Tewksbury, said point begins 623 feet more or less southwesterly from the intersection of Shawsheen and Lowe Streets; thence (1) southwesterly by a curve to the left having a radius of 898.45 feet and a length of 257.25 feet by the side of Shawsheen Street to a point; thence (2) south 30 degrees 17'-25" west a distance of 453.81 feet by the side of Shawsheen Street to a point; thence (3) southwesterly by a curve to the left having a radius of 1356.83 feet and a length of 304.35 feet by the side of Shawsheen Street to a point; thence (4) south 26 degrees 26'-20" west a distance of 154.69 feet by the side of Shawsheen Street to a point thence (5) north 43 degrees 19'-30" west a distance of 801.41 feet by Liberty Homes to a point; thence (6) north 9 degrees 16'-20" west a distance of 429.61 feet by land of WEM Trust to a point; thence (7) north 8 degrees 16'-10" west a distance of 421.97 feet by land of WEM Trust to a point; thence (8) north 6 degrees 38'-40" west a distance of 226.43 feet by land of WEM Trust to a point; thence (9) north 79 degrees 16'-20" east a distance of 197.45 feet by land of WEM Trust to a point; thence (10) north 6 degrees 44'-00" west a distance of 87.03 feet by land of WEM Trust to a point; thence (11) north 6 degrees 54'-00" west a distance of 528.17 feet by land of WEM Trust to a point; thence (12) north 85 degrees 47'-00" east a distance of 167.60 feet by land of WEM Trust to a point; thence (13) north 9 degrees 42'-00" west a distance of 700.25 feet by land of WEM Trust to a point; thence (14) south 43 degrees 36'-12" east a distance of 1471.82 feet by land of WEM Trust, formerly the Boston and Lowell Railroad, to a point; thence (15) south 46 degrees 23'-48" west a distance of 593.60 feet by land of the Town of Tewksbury to a point; thence (16) south 43 degrees 36'-12" east a distance of 978.06 feet by land of the Town of Tewksbury to the point of beginning. Containing 50.02 acres more or less. Being Lot 63 on sheet 99 and Lot 13 on sheet 100 of the Tewksbury Assessor's Maps. (Reference Article 51 of the 1982 Annual Town Meeting).
- c. Being a parcel of land located on North Street and being shown on a plan of land entitled "Site Plan of Land in Tewksbury, Massachusetts, prepared for North Street Associates, Scale 1"=40', March 12, 1981, William G. Troy & Associates, 12 Euclid Road, Tewksbury, Mass." Said land is more particularly described as follows: WESTERLY by North Street, three hundred fifty-six and 00/100 (356.00) feet more or less; SOUTHERLY by land of Ralph and Dorothy Guarente and the

- Tewksbury Cemetery Corp. according to said plan, one hundred seventy-two and 00/100 (172.00) feet more or less, and one thousand one hundred fifty-two and 83/100 (1152.83) feet; EASTERLY by land of the Town of Tewksbury according to said plan, six hundred four and 30/100 (604.30) feet; NORTHERLY by land of the Town of Tewksbury and Dennis H. & Florinda Sullivan according to said plan, five hundred twenty-six and 84/100 (526.84) feet; WESTERLY by land of Gertrude and Richard Hobson according to said plan, ninety-seven and 09/100 (97.09) feet; NORTHERLY by land of Gertrude & Richard Hobson according to said plan, five hundred nineteen and 00/100 (519.00) feet; WESTERLY by land of John C. and Sonja Cuneo according to said plan eighty-eight and 00/100 (88.00) feet, more or less; NORTHERLY by land of John C. and Sonja Cuneo according to said plan, one hundred sixty-nine and 81/100 (169.81) feet; NORTHERLY by land of John C. and Sonja Cuneo according to said plan, one hundred twenty and 00/100 (120.00) feet more or less. Containing 16.4 acres according to said plan. (Reference Article 50 of the 1982 Annual Town Meeting).
- d. Being a parcel of land located on North Street and being shown on a plan of land entitled "Plan of Land in Tewksbury, Mass., September 15, 1965, recorded in the Middlesex North District Registry of Deeds, Book 102, Plan 739" and containing 14.36 acres more or less; said parcel is more particularly described as follows: A n 84 degrees 26'-42" east 371.99 feet along land of Rugart Realty Company, to a point; thence northeasterly 63.12 feet along land of Rugart Realty Company, to a point; thence south 84 degrees 26'-42" east 797.31 feet along land of Rugart Realty Company, to a point on a stone wall; thence southwesterly 768.82 feet along the stone wall and land of Bert and Marguerite Cooney to a point at the land of the Boston and Maine Railroad Co.; thence westerly 777.97 feet along land of the Boston and Maine Railroad to a point on the easterly sideline of North Street, thence northeasterly 559.18 feet along the easterly side of North Street to the point of beginning. (Ref. Article 6 of the July 28, 1983 Special Town Meeting).
- e. Land on the southeasterly side of Pleasant Street (identified by Assessor's Map 46, Lot 48 and Map 47, Lot 143, and a portion of Lot 144) and bounded and described as follows: northerly 185.75 feet by land of Chester Roper; thence easterly 1747 feet by land of said Roper, Roux and Gale; thence southerly 844.43 feet by land of Lowrie and the Town of Tewksbury; thence westerly 814 feet by land of the Town of Tewksbury; thence northerly 435 feet by land of Arthur S. Peterson, Inc.; thence westerly 402 feet by land of Arthur S. Peterson, Inc.; thence southerly 241 feet by land of Arthur S. Peterson, Inc.; thence westerly 105 feet by land of William Roper; thence northwesterly 430 feet by lands of Albert and James Roper and Mary Roper; thence westerly 250 feet by land of James Roper and Mary Roper; thence southwesterly 30 feet by land of Mary Roper; thence northwesterly 110 feet by Pleasant Street. Said parcel containing 26 acres more or less. (Ref. Article 24 of the December 12, 1983, Special Town Meeting).
- f. Being a certain parcel of land in Tewksbury, Middlesex County, Mass. shown on a plan of land entitled, "Plan of Land in Tewksbury, Mass., Scale: 1"=80', January 26, 1962, Dana F. Perkins & Sons, Inc., owned by F. I. Carter & Sons, Inc.". Said plan is duly recorded in the Middlesex North District Registry of Deeds in Plan Book 96, Plan 143. Said parcel is also shown on the Assessor's Maps as Lot 36 on Map 72. Also a certain parcel of land in Tewksbury, Middlesex County, Massachusetts shown as Lot 2 on Plan 34067-A drawn by S. Albert Kaufman, Surveyor, August 21, 1965, as modified and approved by the Land Court, a copy of a portion of which is filed with Certificate of Title 18100, and said land is shown as Lot 2 on said plan. Said parcel is also shown on the Assessor's Map as Lot 20 on Map 73. Also that parcel of land containing 12,250 square feet and being shown as a lot of land recorded in the Middlesex North District Registry of Deeds in Book of Plans 67, Plan 33B and further shown on the Assessor's Maps as Lot 35 on Map 72. (Ref. Article 22 of the December 12, 1983 Special Town Meeting).
- g. Being a parcel on Victor Drive bounded and described as follows: Parcel I southeasterly by Victor Drive 408.32 feet; thence southwesterly by lands of sundry adjoining owners as shown on the plan hereinafter mentioned 565.17 feet; thence easterly by Lot 6 as shown on said plan 50 feet; thence southwesterly by lot shown as "way" on said plan 40 feet; thence westerly by land now or formerly of Roby F. Bruneau 621.07 feet; thence southwesterly by lands of sundry adjoining owners as shown on said plan, 1162.68 feet; thence northwesterly by land now or formerly of Wilbur Calkins, et al, 674.65 feet; thence northeasterly 1800.54 feet. Said land is shown as Lot 10 on plan hereinafter mentioned. All of said boundaries are determined by the Land Court to be located as shown on subdivision plan 34067C, drawn by S. Albert Kaufman, Surveyor, dated January 5, 1977, as modified and approved by the Court, filed in the Land Registration Office, a copy of which is filed with Certificate of Title 21835. Excepted herefrom is land in Tewksbury, Middlesex County, Massachusetts, being shown as Lots 11 and 12 on Land Court subdivision Plan 34067D, dated May 20, 1978, drawn by William G. Troy & Associates, Surveyors, as approved by the Court and filed in the Land Registration Office, a copy of which plan is filed with Certificate of Title #22903. Parcel II: The land in Tewksbury situated on the northeasterly side of Main Street and being shown as a 5981 square foot lot on a "Plan of Land in Tewksbury belonging to F. I. and L. F. Carter", dated December, 1928, by F. W. Huntington and Co., C. E.'s recorded Middlesex North District Registry of Deeds, Plan Book 43, Plan 77 bounded and described as follows: southwesterly by Main Street, 40 feet; thence northwesterly by Lot 1 as shown on said plan, 149.15 feet; thence northeasterly by Land of Carter, now or formerly, 40 feet, thence southeasterly by Lot 2 as shown on said plan 150 feet. Parcel III: The land in Tewksbury, Middlesex County, Massachusetts being shown on a plan of land entitled "Plan of Land in Tewksbury, Mass., compiled for Wilbur Calkins, January 13, 1972, Robert P. Morris, Registered Land Surveyor", said plan recorded in Middlesex North District Registry of Deeds in Plan Book 114, Plan 128 and bounded and

described as follows: northerly by land of Wilkinson 170 feet, more or less; thence northerly by land of Voner 285 feet, more or less; thence northerly by land of McCausland 745 feet, more or less to land of Bernier; thence easterly by land of Bernier 120 feet, more or less; thence northerly by land of Bernier 100 feet, more or less; thence easterly by land of the Commonwealth of Massachusetts 280 feet; thence southerly in three (3) courses by land of Carter and Gray, 1072 feet, more or less; thence westerly by land of Pongonis 152 feet, more or less; thence southerly by land of Pongonis 50 feet, more or less; thence westerly by land of McGee 107 feet, more or less; thence southerly by land of McGee, 158 feet, more or less; thence westerly by Main Street, 30 feet, more or less to the point of beginning. (Ref. Article 23 of the December 12, 1983, Special Town Meeting).

- h. A certain parcel of land situated on Main Street in Tewksbury, Mass. being shown on a plan entitled, "Villa Roma Condominiums, Tewksbury, Mass. for Deca Corp., dated Jan. 1984, and revised 2/21/84 and 7/25/84 by Merrimack Engineering Services, Andover, Mass. recorded in NMDRD Book 2171 Page 154, specifically sheets 2 and 3 of 9, definitive lot layout plan entitled, "Property line and phasing, Villa Roma Condominiums, Tewksbury, Mass. Beginning at a point northeasterly corner of Villa Roma Condominiums Residential Development, thence running along line entitled Limit of Residential Development and Assoc. maintenance, S45 47'-43"E for a distance of 245.00', to a point thence along same line N44 12'-17"E for 90.00' to a point, thence along same line S45 47'-43"E for 156.00' to a point, thence continuing S10 51'-25"E along same line for 340.85' to a point along land of Hy-Mare Inc. thence S34 08'-35"W along land of Hy-Mare Inc. 1016.59' to land of the Town of Tewksbury thence N82 31'-56"W 63.48' along land of the Town of Tewksbury to a point thence N20 53'-16"W 37.31' along land of the Town of Tewksbury to a point thence N44 52'-58"W 34.96" along land of the Town of Tewksbury to a point, thence N59 33'-59"W 57.36' along land of the Town of Tewksbury to a point, thence to a point at the land of Drolet, to a point thence N24 00'-53"E 59.66' along land of Drolet to a point thence N30 51'-49"W 78.97' along land of Drolet and Ober to a point thence N50 18'-17"E 76.50' along land of Ober to a point, thence N10 48'-42"W 75.18' along land of Ober to a point, thence N60 14'-20"W 70.64' along land of Ober to a point, near Rocky Ave., to a point, thence N29 57'-23"E 86.63' along land of Sullivan to a point, thence N08 18'-47"W 43.18' along land of Sullivan to a point, thence N70 49'-54"W 70.18' along land of Sullivan to a point, thence N46 81'-25"W 92.10' a long land of Sullivan to a point, thence N53 56'-51"W 94.19' along land of Sullivan to a point, thence N20 49'-07"E 27.00' along land of Sullivan to a point, thence N29 41'-14"W 32.99' along land of Sullivan to a point, thence N08 53'-54"W 67.48' along land of Sullivan to a point, thence N06 52'-14"W 45.24' along land of Sullivan to a point, thence N43 38'-10"E 213.33' along land of Sullivan to a point, thence to a point at land of Kuminsky, thence N47 23'-09" 80.46' along land of Kuminsky to a point at land of McDermott, thence S35 47'-27"E 127.42' along land of McDermott to a point, thence N39 12'-17"E 174.83' along land of McDermott to an iron pipe, thence N39 12'-17"E along land of McDermott to the point of beginning containing 12.745 acres more or less.
- i. Beginning at a point on the westerly side of North Street at the intersection with northerly line of land of the Boston and Maine Corporation, thence; N67 24'-56"W along said Boston and Maine Corporation land a distance of 1040.00 feet to a point thence; N10 0228"W, along land of New England Power Company a distance of 596.61 feet thence; S72 04'-45"E a distance of 430.46 to a point thence; N65 11'-13"W a distance of 502.50 to a point thence; N30 40'-56"W a distance of 389.42 feet to a point. The last three (3) courses being along land of New England Power Company thence; 61 35'-28"E, along land of NEW ENGLAND POWER CO. a distance of 1082.74 to a drill hole in the corner of a stone wall, thence; S 13 00'-02"E, along a stone wall a distance of 65.54 feet to an iron pipe, thence; S12 23'-47"E, along said stone wall, a distance of 216.25. to a point thence; S10 52'-02"E, along said stone wall, a distance of 202.10 feet to an iron pipe, the last three (3) courses are along land of now or formerly Elinor Nawossa, thence; S24 19'-58"E, along said Nawossa land and land of now or formerly Daniel A. Small, a distance of 601.90 feet, to a point thence; S75 17'-45"E, along land of now or formerly Philip Cogan, a distance of 210.97 feet to a point thence; S17 55'-16"W, along land of now or formerly Walter Cogan, a distance of 129.26 feet to a point thence; N72 04'-45"W, along land of Domenic Germano, et al, a distance of 167.00 feet to a point thence.

3.9 MULTIPLE-FAMILY DWELLING/55 DISTRICT

This district(s) shall be established by a vote of Town Meeting.

3.10 COMMUNITY DEVELOPMENT DISTRICT

This district(s) shall be established by a vote of Town Meeting.

3.11 ADULT ENTERTAINMENT DISTRICT

3.12 TWO ACRE RESIDENTIAL DISTRICT

No current land zoned R80 at this time.

Or take any action relative thereto.

Planning Board

Executive Summary: This Zoning Bylaw article is an undated and renumbering of the existing zoning bylaw. The proposed amendment is a user-friendly document that reflects modern language, case law, and remove redundant sections of the existing bylaw.

Moderator:

The Moderator informed the Assembly that he would read the sections of the article and if any voter wished to Debate, Amend or Discuss any section of the article , please call out Debate, and he would mark for Debate that particular section of the article.

He told the Assembly, "We are doing the article in sections so the voter will know what is going on".

After that is completed, he said, "He would entertain a motion to Cease Debate on those sections not marked for Debate. Sections marked for Debate would be acted upon separately and the town meeting would not go to another section until all the amendments, under that section, had been acted upon. When each section is completed, the Moderator would accept a motion to Cease Debate on each of these sections."

The Moderator informed the Assembly:

- that we would not return to any section that had been voted to Cease Debate,
- after all the sections and the amendments are completed he will accept the Planning Board's motion to adopt the article.

The Community Development Director, Steven Sadwick, presented a power-point Overview of Article 1.

The Moderator asked the Assembly to allow the speaker to continue for more than five (5) minutes and that request was approved.
7:10 PM 5/7/02

The following sections were called for Debate:

Section 3000
Section 4000
Section 5000
Section 6000
Section 7000
Section 9000
Section 10000

Finance Committee Chairman, Ray Shaw, motioned to Cease Debate on Section 1000, Section 2000 and Section 8000 and this motion was Adopted.
7:25 PM 5/7/02

Section 3000

Section 3220, Section 3222, Section 3224, Section 3231, Section 3232, Section 3410, Section 3513, and Section 3513 e. were marked for Debate.

Section 3220 No voter addressed the Assembly.

Section 3222 Motion to Amend. No vote taken, because Mr. Kinnon's Amendment was Adopted.
Mr. Al Kinnon motioned to Amend.
Mr. Kinnon's Amendment was Adopted.
AMENDMENT: Left Blank - Section 3222.

7:35 PM 5/7/02

Section 3224 No vote taken.

Section 3231 No vote taken.

Section 3232 Mr. Kinnon Withdrew this Amendment.

Section 3410 Mr. Scott Consaul motioned to Amend with two (2) Amendments.

Mr. Consaul's 1st Amendment was Adopted. 65 YES, 50 NO

7:55 PM 5/7/02

AMENDMENT: 3410 Para. 5 Delete the word "Two (2)" and insert in lieu thereof the word "three (3)"

Mr. Consaul's 2nd Amendment was Adopted.

7:55 PM 5/7/02

AMENDMENT: 3410 Para. 5 Adding a Paragraph 11, to read as follows:

11. Notwithstanding anything else contained herein to the contrary, nothing herein shall be construed as to require a family suite to be under its own roof.

Section 3513e Mr. Fowler requested to correct a scrivener's error.

The Moderator informed the Assembly that he would accept the correction.

SCRIVENER'S ERROR: 1st line, change may to shall.

Section 3513 b. No vote taken

Section 3513 Mr. Al Kinnon motioned to Amend.

Voted: Mr. Kinnon's Amendment Failed. 42 YES, 68 NO

8:08 PM 5/7/02

Finance Committee Chairman, Ray Shaw, motioned to Cease Debate on Section 3000 and this motion was Adopted.

8:09 PM 5/7/02

Section 4000

Section 4146

Planning Board Chairman, Robert Fowler motioned to Amend.

Voted: Mr. Fowler's Amendment was Adopted.

8:10 PM 5/7/02

AMENDMENT: The last sentence to read:

This provision shall not apply to wireless communications facilities under the Federal Telecommunications Act.

Finance Committee Chairman, Ray Shaw, motioned to Cease Debate on Section 4000 and this motion was Adopted.

8:11 PM 5/7/02

Section 5000

5171

Planning Board Chairman, Robert Fowler motioned to Amend.

Voted: Mr. Fowler's Amendment was Adopted.

8:15 PM 5/7/02

AMENDMENT: Each lot may have one access driveway, which shall be at least 24 feet wide at its narrowest point but not more than the required width for safe vehicle movements onto the adjacent roadway, without entering into the opposing lane.

5414. b Planning Board Chairman, Robert Fowler motioned to Amend.

Voted: Mr. Fowler's Amendment was Adopted.

8:17 PM 5/7/02

AMENDMENT: Each lot shall have access only at designated driveways: each lot may have not more than two (2) driveways and one (1) additional driveway for each 200 feet of street frontage above the minimum required; driveways shall conform to Section 5171 of this Bylaw.

Finance Committee Chairman, Ray Shaw, motioned to Cease Debate on Section 5000 and this motion was Adopted.

8:17 PM 5/7/02

Section 6000

6230

Planning Board Chairman, Robert Fowler, informed the Moderator about a typo error.

The Moderator informed the Assembly that he would accept the typo error as a scrivener's error.

SCRIVENER'S ERROR: Delete the word **approval** after the words Planning Board.

Finance Committee Chairman, Ray Shaw, motioned to Cease Debate on Section 6000 and this motion was Adopted.

8:19 PM 5/7/02

Section 7000

7391

Planning Board Chairman, Robert Fowler, informed the Moderator of a scrivener's error.

The Moderator informed the Assembly he would accept the scrivener's error.

SCRIVENER'S ERROR: In the 4th line, change **Board** to **Department**.

To read: **Tewksbury Department of Public Works,**

7221 Attorney Raymond Paczkowski motioned to Amend.

Voted: Attorney Paczkowski's Amendment Failed.

8:29 PM 5/7/02

7154 Mr. Al Kinnon motioned to Amend.
Voted: Mr. Kinnon's Amendment Failed. 8:34 PM 5/7/02

7254 Mr. Al Kinnon motioned to Amend.
Voted: Mr. Kinnon's Amendment Failed. 8:34 PM 5/7/02

Finance Committee Chairman, Ray Shaw, motioned to Cease Debate on Section 7000 and this motion was Adopted.
8:34 PM 5/7/02

Planning Board Chairman, Robert Fowler, motioned for a break before continuing Article 1 and this motion Failed.
8:34 PM 5/7/02

Section 9000

9450 Planning Board Chairman, Robert Fowler, motioned to Amend.
Voted: Mr. Fowler's Amendment was Adopted. 8:36 PM 5/7/02

AMENDMENT: The Planning Board shall hold a public hearing no later than **65 days after the filing of a complete application.** The Planning Board then shall have the power to continue a public hearing under this section if it finds that such continuance is necessary to allow the petitioner or applicant to provide information of an unusual nature and which is not otherwise required as part of the special permit application.

Finance Committee Chairman, Ray Shaw, motioned to Cease Debate on Section 9000 and this motion was Adopted.
8:36 PM 5/7/02

Section 10000 Definitions

Planning Board Chairman, Robert Fowler, motioned to Correct, Amend, or Add to the following Definitions.

DAILY VEHICULAR TRIP: The Moderator accepted a typo error .
In line 2, change **existing** to **exiting**.

NURSING HOME: The Moderator accepted a typo error.
In the 1st line, **change inform** to **infirm**.

WETLAND: The Moderator accepted a typo error.
After M.G.L. c.131 add: **, s.40.**

Planning Board Chairman, Robert Fowler, motioned to Amend and add to Section 10000, Definitions.
Voted: Mr. Fowler's Amendment was Adopted. 8:46 PM 5/7/02

AMENDMENT: Added Definition

MASSAGE THERAPY (LICENSED): The practice and license of Massage Therapy as described in the Tewksbury Board of Health Regulations for Practitioners of Massage Therapy. No person shall engage or hold himself/herself out as being engaged in the practice of Massage Therapy without a license issued by the Tewksbury Board of Health.

The Moderator accepted a motion to Reconsider Mr. Fowler's Amendment because of an oversight.
Voted: Reconsideration was Adopted. No voter opposed Reconsideration. 8:47 PM 5/7/02

Motion: In the last line of Mr. Fowler's Amendment, add Tewksbury before the words Board of Health.
Voted: This motion was Adopted. 8:47 PM 5/7/02

AMENDMENT: ADD: TEWKSBURY before the words **Board of Health**.

Motion: Planning Board Chairman, Robert Fowler, motioned to Amend, APPENDIX A, Table of Use Regulations, Section C, Commercial Uses.
Voted: Mr. Fowler's Amendment was Adopted. 8:50 PM 5/7/02

AMENDMENT: Add new use "32. Massage Therapy (Licensed);" inserting "N" in columns R40, R80, FA, LB, TR, INS, MN, MFD, MFD/55, CDD, HI; and inserting Y in column COM.

Motion: Planning Board Chairman, Robert Fowler, motioned to Amend, APPENDIX A, Table of Use Regulations, Section D. Industrial Uses, subsection 2.

Voted: Mr. Fowler's Amendment was Adopted.

8:52 PM 5/7/02

AMENDMENT: Appendix A, Table of Use Regulations, Section D. Industrial Uses, subsection 2 by removing the term "light manufacturing."

Motion: Planning Board Chairman, Robert Fowler, motioned to Amend, APPENDIX D-Zoning Map Descriptions.

Voted: Mr. Fowler's Amendment was Adopted.

8:59 PM 5/7/02

AMENDMENT: Insert the following: "rrr. (LB) From a line 300 feet East and parallel to Foster Road on Shawsheen Street, the land 300 feet on each of Shawsheen Street, extending to a line 300 feet West of and parallel to Foster Road."

Motion: Building Commissioner, Richard Colantuoni, motioned to Amend, APPENDIX C, Principal Use D. Industrial Uses, subsection 2.

Voted: The Building Commissioner's Amendment was Adopted.

9:00 PM 5/7/02

AMENDMENT: Remove the words "Light Manufacturing"

Motion: Planning Board Chairman, Robert Fowler, motioned to Amend and Adopt Article 1, as Amended.

Voted: Article 1 was Adopted, as Amended. YES 130 NO 6 (2/3,s vote = 91)

9:04 PM 5/7/02

**ALL THE VOTED AMENDMENTS HAVE BEEN INCORPORATED INTO ARTICLE 1
AND ARE DESIGNATED IN BOLD PRINT.**

ARTICLE 2

To see if the Town will vote to amend the Tewksbury Zoning By-Laws, to make the following changes to the Use Chart, Appendix A, Section C. Commercial, to add the following:

| | R40 | R80 | FA | LB | COM | TR | P | INS | MN | MFD | MFD/55 | CDD | HI |
|---|------------|------------|-----------|-----------|------------|-----------|----------|------------|-----------|------------|---------------|------------|-----------|
| 32. Garaging or parking of one light commercial vehicle. | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 33. Garaging or parking of two light commercial vehicles. | SP | SP | SP | Y | Y | SP | Y | Y | Y | SP | SP | SP | Y |
| 34. Garaging or parking of three or more light commercial vehicles. | N | N | SP | Y | SP | SP | SP | Y | Y | SP | SP | SP | Y |
| 35. Garaging or parking of one heavy commercial vehicle. | N | N | SP | SP | Y | SP | SP | N | Y | SP | SP | SP | Y |
| 36. Garaging or parking of two or more heavy commercial vehicles. | N | N | N | N | SP | N | N | N | Y | N | N | N | Y |

And to Add to Appendix A, Section D. Industrial Uses:

| | R40 | R80 | FA | LB | COM | TR | P | INS | MN | MFD | MFD/55 | CDD | HI |
|------------------------|------------|------------|-----------|-----------|------------|-----------|----------|------------|-----------|------------|---------------|------------|-----------|
| 16. Steel Fabrication. | N | N | N | N | N | N | N | N | N | N | N | N | N |

Or take any action relative thereto.

Building Commissioner

Executive Summary: Presently, commercial vehicles are prohibited in residential districts. This article will allow certain small vehicles to be parked within residential districts. Added use "steel fabrication" to use chart will also make enforcement easier.

Motion: Building Commissioner, Richard Colantuoni, motioned to Amend and Adopt Article 2, as Amended.

Finance Committee Chairman, Ray Shaw, informed the Moderator that the subsection numbering under Commercial does not correspond with the subsection numbering in Article 1.

The Moderator asked the Building Commissioner if he wanted to renumber the subsections?

The subsections were re-numbered to change # 32 to #33, #33 to #34, #34 to #35, #35 to #36 and 36 to 37.

Voted: Mr. Colantuoni's Amendment was Adopted.

9:10 PM 5/7/02

Article 2 was Adopted, as Amended. 69 YES, 1 NO (2/3's vote = 47)

9:12 PM 5/7/02

AMENDMENT: To make the following changes to, Appendix A, Table of Use Regulations, Section C. Commercial, by adding the following:

| | R40 | R80 | FA | LB | COM | TR | P | INS | MN | MFD | MFD/55 | CDD | HI |
|---|-----|-----|----|----|-----|----|----|-----|----|-----|--------|-----|----|
| 33. Garaging or parking of one light commercial vehicle. | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 34. Garaging or parking of two light commercial vehicles. | SP | SP | SP | SP | Y | SP | Y | Y | Y | SP | SP | SP | Y |
| 35. Garaging or parking of three or more light commercial vehicles. | N | N | SP | N | SP | SP | SP | Y | Y | SP | SP | SP | Y |
| 36. Garaging or parking of one heavy commercial vehicle. | N | N | SP | N | Y | SP | SP | N | Y | SP | SP | SP | Y |
| 37. Garaging or parking of two or more heavy commercial vehicles. | N | N | N | N | SP | N | N | N | Y | N | N | N | Y |

And Add to Appendix A, Table of Use Regulations, Section D, Industrial Uses, the following:

| | R40 | R80 | FA | LB | COM | TR | P | INS | MN | MFD | MFD/55 | CDD | HI |
|------------------------|-----|-----|----|----|-----|----|---|-----|----|-----|--------|-----|----|
| 16. Steel Fabrications | N | N | N | N | N | N | N | N | N | N | N | N | pb |

ARTICLE 3

To see if the town will vote to amend the Zoning Bylaws by adopting the following:

17. GROUNDWATER PROTECTION DISTRICT

17.1 Purpose of District: The purpose of this Groundwater Protection District is to:

- promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the residents, institutions, and businesses of the Town of Tewksbury;
- preserve and protect existing and potential sources of drinking water supplies;
- conserve the natural resources of the town; and
- prevent temporary and permanent contamination of the environment.

17.2 Scope Of Authority. The Groundwater Protection District is an overlay district superimposed on the zoning districts. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities/ uses in a portion of one of the underlying zoning districts which fall within the Groundwater Protection District must additionally comply with the requirements of this district. Uses prohibited in the underlying zoning districts shall not be permitted in the Groundwater Protection District.

17.3 Definitions. For the purposes of this section, the following terms are defined below:

- AQUIFER:** Geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.
- GROUNDWATER PROTECTION DISTRICT:** The zoning district defined to overlay other zoning districts in the Town of Tewksbury. The groundwater protection district may include specifically designated recharge areas.
- IMPERVIOUS SURFACE:** Material or structure on, above, or below the ground that does not allow precipitation or surface water to penetrate directly into the soil.
- MINING:** The removal or relocation of geologic materials such as topsoil, sand, gravel, metallic ores, or bedrock.
- POTENTIAL DRINKING WATER SOURCES:** Areas which could provide significant potable water in the future.
- RECHARGE AREAS:** Areas that collect precipitation or surface water and carry it to aquifers. Recharge areas may include areas designated as Zone I, Zone II, or Zone III.
- TOXIC OR HAZARDOUS MATERIAL:** Any substance or mixture of physical, chemical, or infectious characteristics posing a significant, actual, or potential hazard to water supplies or other hazards to human health if such substance or mixture were discharged to land or water in the Town of Tewksbury. Toxic or hazardous materials include, without

limitation; synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalis, and all substances defined as Toxic or Hazardous under Massachusetts General Laws (M.G.L.) Chapter(c.) 21C and 21E and 310 CMR 30.00, and also include such products as solvents and thinners in quantities greater than normal household use.

17.4 Location. The Groundwater Protection District shall be defined as all lands within the Town of Tewksbury that are delineated as Zone II on the map titled "Town of Tewksbury Zone II Delineation" and dated September, 2001, which map(s), as amended from time-to-time, shall be kept on file with the Town Clerk, the Planning Board, the Building Commissioner, the Board of Health, and the Town Engineer.

a. If the location of the District boundary in relation to a particular parcel is in doubt, resolution of boundary disputes shall be through a Special Permit application to the Special Permit Granting Authority (SPGA). Any application for a special permit for this purpose shall be accompanied by adequate documentation.

b. The burden of proof shall be upon the owner(s) of the land to show where the bounds should be located. At the request of the owner(s), the Town may engage a professional engineer, hydrologist, geologist, or soil scientist to determine more accurately the boundaries of the district with respect to individual parcels of land, and may charge the owner(s) for the cost of the investigation. Any changes to the Zone II or Zone III delineation via this process must occur in conformance with the criteria set forth in 310 CMR 22.00 and must be approved by the Massachusetts Department of Environmental Protection.

17.5 Development Regulations. In the Groundwater Protection District the following regulations shall apply:

17.5(A). Permitted Uses. The following uses are permitted within the Groundwater Protection District, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained:

- i. conservation of soil, water, plants, and wildlife;
- ii. outdoor recreation, nature study, boating, fishing, and hunting where otherwise legally permitted;
- iii. foot, bicycle and/or horse paths, and bridges;
- iv. normal operation and maintenance of existing water bodies and dams, splash boards, and other water control, supply and conservation devices;
- v. maintenance, repair, and enlargement of any existing structure, subject to Section 17.5(B) (prohibited uses) and Section 17.5(C) (special permitted uses);
- vi. residential development, subject to Section 17.5(B) (prohibited uses) and Section 17.5(C) (special permitted uses);
- vii. farming, gardening, nursery, conservation, forestry, harvesting, and grazing, subject to Section 17.5(B) (prohibited uses) and Section 17.5(C) (special permitted uses);
- viii. construction, maintenance, repair, and enlargement of drinking water supply related facilities such as, but not limited to, wells, pipelines, aqueducts, and tunnels.
- ix. Underground storage tanks related to these activities are not categorically permitted.

17.5(B). Prohibited Uses. The following uses are prohibited:

- i. and fills and open dumps as defined in 310 CMR 19.006;
- ii. Automobile graveyards and junkyards, as defined in M.G.L.c. 140B, §1;
- iii. Landfills receiving only wastewater and/or septage residuals including those approved by the Department pursuant to M.G.L.c. 21, §26 through 53; M.G.L.c. 111, §17; M.G.L.c. 83, §6 and 7, and regulations promulgated thereunder;
- iv. Facilities that generate, treat, store, or dispose of hazardous waste that are subject to M.G.L.c. 21C and 310 CMR 30.00, except for the following:
 - a) very small quantity generators as defined under 310 CMR 30.000;
 - b) household hazardous waste centers and events under 310 CMR 30.390;
 - c) waste oil retention facilities required by M.G.L.c. 21, § 52A; and
 - d) water remediation treatment works approved by DEP for the treatment of contaminated ground or surface waters.
- v. Petroleum, fuel oil, and heating oil bulk stations and terminals including, but not limited to, those listed under Standard Industrial Classification (SIC) Codes 5171 and 5983. SIC Codes are established by the US Office of Management and Budget and may be determined by referring to the publication, Standard Industrial Classification Manual, and any other subsequent amendments;
- vi. Storage of liquid hazardous materials, as defined in M.G.L.c. 21E, and/or liquid petroleum products unless such storage is:
 - a) above ground level, and;

- b) on an impervious surface, and
 - c) either: (1) in container(s) or above ground tank(s) within a building, or; (2) outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either 10% of the total possible storage capacity of all containers, or 110% of the largest container's storage capacity, whichever is greater;
 - d) 310 CMR allows for the replacement of existing tanks/systems for the keeping, storage or dispensing of gasoline; and
 - e) 310 CMR exempts above-ground home heating oil systems from the containment requirement, and indoor tanks on impervious surfaces such as a basement floor, are allowed.
- vii. Storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31
- viii. Storage of deicing chemicals unless such storage, including loading areas, is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- ix. Storage of animal manure unless covered or contained in accordance with the specifications of the Natural Resource Conservation Service;
- x. Earth removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material (including mining activities) to within 4 feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey, except for excavations for building foundations, roads, or utility works;
- xi. Discharge to the ground of non-sanitary wastewater including industrial and commercial process waste water, except:
- a) the replacement or repair of an existing treatment works that will not result in a design capacity greater than the design capacity of the existing treatment works;
 - b) treatment works approved by the Department of Environmental Protection designed for the treatment of contaminated ground or surface water and operating in compliance with 314 CMR 5.05(3) or 5.05(13);
 - c) publicly owned treatment works;
- xii. Stockpiling and disposal of snow and ice containing deicing chemicals brought in from outside the district;
- xiii. Storage of commercial fertilizers, as defined in M.G.L. c. 128, §64, unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate.
- xiv. The rendering impervious of greater than fifteen percent (15%) or two thousand five hundred (2,500) square feet of any lot, whichever is greater except under the provisions of subsection 3.13.5(C)(iii).

17.5(C) Uses and Activities Requiring a Special Permit. The following uses and activities are permitted only upon the issuance of a Special Permit by the Special Permit Granting Authority (SPGA) under such conditions as they may require:

- i. Enlargement or alteration of existing uses that do not conform to the Groundwater Protection District;
- ii. Those activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use, permitted in the underlying zoning (except as prohibited under Section 17.5(B)). Such activities shall require a special permit to prevent contamination of groundwater;
- iii. A system of storm water management and artificial recharge of precipitation must be designed, and approved by the SPGA, to: prevent untreated discharges to wetland and surface water; preserve hydrologic conditions that closely resemble pre-development conditions; reduce or prevent flooding by managing peak discharges and volumes of runoff; minimize erosion and sedimentation; not result in significant degradation of groundwater; reduce suspended solids and other pollutants to improve water quality and provide increased protection of sensitive natural resources. These standards may be met using the following or similar best management practices:
 - a) For lots occupied, or proposed to be occupied, by single or two family residences, recharge shall be attained through site design that incorporates natural drainage patterns and vegetation in order to maintain pre-development stormwater patterns and water quality to the greatest extent possible. Stormwater runoff from rooftops, driveways and other impervious surfaces shall be routed through grassed water-quality swales, as sheet flow over lawn areas, or into constructed stormwater wetlands, sand filters, organic filters and/or similar systems capable of removing nitrogen from stormwater;
 - b) For lots occupied, or proposed to be occupied by other uses, a stormwater management plan shall be developed which provides for the artificial recharge of precipitation to groundwater through site design that incorporates natural drainage patterns and vegetation, and through the use of constructed (stormwater) wetlands, wet (detention) ponds, water quality swales, sand filters, organic filters, or similar site-appropriate best management practices capable of removing nitrogen and other contaminants from stormwater. The stormwater management plan shall meet the Stormwater Management Standards and technical guidance contained in the most recent version of the Massachusetts

Department of Environmental Protection's Stormwater Management Handbook, for the type of use proposed, and the soil types present on the site. Such runoff shall not be discharged directly to rivers, streams, and other surface water bodies, wetlands, or vernal pools. Dry wells shall be prohibited;

c) Except when used for roof runoff from non-galvanized roofs, all infiltration facilities (including wetlands, ponds, and swales) shall be preceded by oil, grease and sediment traps or other best management practices to facilitate control of hazardous materials spills and removal of contamination, and to avoid sedimentation of treatment and leaching facilities;

d) All artificial recharge systems shall be maintained in full working order by the owner(s), under the provisions of an operations and maintenance plan approved by the SPGA, to ensure that systems function as designed. Artificial recharge systems shall be located at least one hundred (100) feet from drinking water wells. Any infiltration basins or trenches shall be constructed with a three (3) foot minimum separation between the bottom of the structure and maximum groundwater elevation.

17.6 Administrative Procedures.

A. The Special Permit Granting Authority (SPGA) under this bylaw shall be known as the Groundwater Protection Board, and shall be comprised of the following, with each person serving a one year term expiring on May 1, as follows: One representative of the Massachusetts Commissioner of Public Health; one representative each from the Board of Health, Board of Selectmen, Planning Board, and Conservation Commission; and two residents chosen by lottery. Such special permit shall be granted if the SPGA determines, in conjunction with the Board of Health, the Conservation Commission, and the Department of Public Works that the intent of this bylaw, as well as its specific criteria, are met. The SPGA shall not grant a special permit under this section unless the petitioner's application materials include, in the SPGA's opinion, sufficiently detailed, definite, and credible information to support positive findings in relation to the standards given in this section. The SPGA shall document the basis for any departures from the recommendations of the other town boards or agencies in its decision.

B. Upon receipt of the special permit application, the SPGA shall transmit one copy each to the Board of Health, the Conservation Commission, Fire Department, Police department, Building Commissioner, Town Manager, Planning Board and Town Department of Public Works for their written recommendations. The necessary number of copies of the application shall be furnished by the applicant. Each agency listed shall, within forty-five (45) days after the plan is filed, report to the SPGA, in writing, their approval or disapproval of the subject application:

i. In the event of disapproval, the agencies shall make specific findings and reasons therefore, and, where possible, shall make recommendations for the adjustment thereof;

ii. Failure to respond in writing within 45 days of receipt shall indicate approval or no desire to comment by said agency.

C. The SPGA may grant the required special permit only upon finding that the proposed use meets the following standards, those specified in Section 17.5 of this bylaw, and any regulations or guidelines adopted by the SPGA. The proposed use must:

i. In no way, during construction or thereafter, adversely affect the existing or potential quality of quantity of water that is available in the Groundwater Protection District; and

ii. Be designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.

D. The SPGA may adopt regulations to govern design features of projects. Such regulations shall be consistent with special permit regulations adopted by the municipality.

E. The applicant shall file 16 copies of a site plan and attachments with the Department of Community Development. The site plan shall be drawn at a proper scale as determined by the SPGA and be stamped by a professional engineer. All additional submittals shall be prepared by qualified professionals. The site plan and its attachments shall at a minimum include the following information where pertinent:

i. A complete list of chemicals, pesticides, herbicides, fertilizers, fuels, and other potentially hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use;

ii. For those activities using or storing such hazardous materials, a hazardous materials management plan shall be prepared and filed with the Director of Emergency Management, Fire Chief, and Board of Health. The plan shall include:

a) provisions to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage, or vandalism, including spill containment and clean-up procedures;

b) provisions for indoor, secured storage of hazardous materials and wastes with impervious floor surfaces;

c) evidence of compliance with the Regulations of the Massachusetts Hazardous Waste Management Act 310 CMR 30, including obtaining an EPA identification number from the Massachusetts Department of Environmental Protection.

d) proposed down-gradient location(s) for groundwater monitoring well(s), should the SPGA deem the activity a potential groundwater threat.

F. The SPGA shall hold a hearing, in conformity with the provision of MGL Chapter 40A, Section 9, within 65 days after the filing of the application and after the review by the Town Boards, Departments, and Commissions. Notice of the public hearing shall be given by publication and posting and by first-class mailings to "parties of interest" as defined in MGL Chapter 40A, §11. The decision of the SPGA and any extension, modification, or renewal thereof shall be filed with the SPGA and Town Clerk within 90 days following the closing of the public hearing. Failure of the SPGA to act within 90 days shall be deemed as a granting of the permit. However, no work shall commence until a certification is recorded as required by §11.

G. Written notice of any violations of this Section shall be given by the Building Commissioner to the responsible person as soon as possible after detection of a violation or a continuing violation. Notice to the assessed owner of the property shall be deemed notice to the responsible person. Such notice shall specify the requirement or restriction violated and the nature of the violation, and may also identify the actions necessary to remove or remedy the violations and preventive measures required for avoiding future violations and a schedule of compliance. A copy of such notice shall be submitted to the Building Inspector, the Board of Health, Conservation Commission, Town Engineer/Department of Public Works, and Water Department. The cost of containment, clean-up, or other action of compliance shall be borne by the owner and operator of the premises.

17.7 Severability. A determination that any portion or provision of this overlay protection district is invalid shall not invalidate any other portion or provision thereof, nor shall it invalidate any special permit previously issued thereunder.

Or take any other action relative thereto.

Board of Health

Executive Summary: The purpose of this bylaw is to offer protection of the ground water supply currently being used by Tewksbury Hospital. The bylaw establishes a district in which certain activities that could contaminate the water supply are regulated, and possibly prohibited. This version of the bylaw uses the numbering of the existing Zoning Bylaw.

Motion: Board of Health Chairman, Stephanie Wilkie, motioned to Withdraw Article 3 and this motion was Adopted.

9:13 PM 5/7/02

ARTICLE 4

To see if the town will vote to amend the Zoning Bylaws by adopting the following:

2200. Overlay Districts, add "Groundwater Protection District (GWPD).

SECTION 8000. OVERLAY DISTRICTS

8300. GROUND WATER PROTECTION DISTRICT

8301. Purpose of District: The purpose of this Groundwater Protection District is to:

- a. promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the residents, institutions, and businesses of the Town of Tewksbury;
- b. preserve and protect existing and potential sources of drinking water supplies;
- c. conserve the natural resources of the town; and
- d. prevent temporary and permanent contamination of the environment.

8302. Scope Of Authority. The Groundwater Protection District is an overlay district superimposed on the zoning districts. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities/ uses in a portion of one of the underlying zoning districts which fall within the Groundwater Protection District must additionally comply with the requirements of this district. Uses prohibited in the underlying zoning districts shall not be permitted in the Groundwater Protection District.

8303 Definitions. For the purposes of this section, the following terms are defined below:

- a. **AQUIFER:** Geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.
- b. **GROUNDWATER PROTECTION DISTRICT:** The zoning district defined to overlay other zoning districts in the Town of Tewksbury. The groundwater protection district may include specifically designated recharge areas.

- c. IMPERVIOUS SURFACE: Material or structure on, above, or below the ground that does not allow precipitation or surface water to penetrate directly into the soil.
- d. MINING: The removal or relocation of geologic materials such as topsoil, sand, gravel, metallic ores, or bedrock.
- e. POTENTIAL DRINKING WATER SOURCES: Areas which could provide significant potable water in the future.
- f. RECHARGE AREAS: Areas that collect precipitation or surface water and carry it to aquifers. Recharge areas may include areas designated as Zone I, Zone II, or Zone III.
- g. TOXIC OR HAZARDOUS MATERIAL: Any substance or mixture of physical, chemical, or infectious characteristics posing a significant, actual, or potential hazard to water supplies or other hazards to human health if such substance or mixture were discharged to land or water in the Town of Tewksbury. Toxic or hazardous materials include, without limitation; synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalis, and all substances defined as Toxic or Hazardous under Massachusetts General Laws (M.G.L.) Chapter(c.) 21C and 21E and 310 CMR 30.00, and also include such products as solvents and thinners in quantities greater than normal household use.

8310. Location. The Groundwater Protection District shall be defined as all lands within the Town of Tewksbury that are delineated as Zone II on the map titled "Town of Tewksbury Zone II Delineation" and dated September, 2001, which map(s), as amended from time-to-time, shall be kept on file with the Town Clerk, the Planning Board, the Building Commissioner, the Board of Health, and the Town Engineer.

8311. If the location of the District boundary in relation to a particular parcel is in doubt, resolution of boundary disputes shall be through a Special Permit application to the Special Permit Granting Authority (SPGA). Any application for a special permit for this purpose shall be accompanied by adequate documentation.

8312. The burden of proof shall be upon the owner(s) of the land to show where the bounds should be located. At the request of the owner(s), the Town may engage a professional engineer, hydrologist, geologist, or soil scientist to determine more accurately the boundaries of the district with respect to individual parcels of land, and may charge the owner(s) for the cost of the investigation. Any changes to the Zone II or Zone III delineation via this process must occur in conformance with the criteria set forth in 310 CMR 22.00 and must be approved by the Massachusetts Department of Environmental Protection.

8320. Development Regulations. In the Groundwater Protection District the following regulations shall apply:

8321. Permitted Uses. The following uses are permitted within the Groundwater Protection District, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained:

- a. conservation of soil, water, plants, and wildlife;
- b. outdoor recreation, nature study, boating, fishing, and hunting where otherwise legally permitted;
- c. foot, bicycle and/or horse paths, and bridges;
- d. normal operation and maintenance of existing water bodies and dams, splash boards, and other water control, supply and conservation devices;
- e. maintenance, repair, and enlargement of any existing structure, subject to Section 8322 (prohibited uses) and Section 8323 (special permitted uses);
- f. residential development, subject to Section 8322 (prohibited uses) and Section 8323 (special permitted uses);
- g. farming, gardening, nursery, conservation, forestry, harvesting, and grazing, subject to Section 8322 (prohibited uses) and Section 8323 (special permitted uses);
- h. construction, maintenance, repair, and enlargement of drinking water supply related facilities such as, but not limited to, wells, pipelines, aqueducts, and tunnels.
- i. Underground storage tanks related to these activities are not categorically permitted.

8322. Prohibited Uses. The following uses are prohibited:

- a. Landfills and open dumps as defined in 310 CMR 19.006;
- b. Automobile graveyards and junkyards, as defined in M.G.L.c. 140B, §1;
- c. Landfills receiving only wastewater and/or septage residuals including those approved by the Department pursuant to M.G.L.c. 21, §26 through 53; M.G.L.c. 111, §17; M.G.L. c. 83, §6 and 7, and regulations promulgated thereunder;
- d. Facilities that generate, treat, store, or dispose of hazardous waste that are subject to M.G.L.c. 21C and 310 CMR 30.00, except for the following:

- 1) very small quantity generators as defined under 310 CMR 30.000;
- 2) household hazardous waste centers and events under 310 CMR 30.390;
- 3) waste oil retention facilities required by M.G.L. c. 21, § 52A; and
- 4) water remediation treatment works approved by DEP for the treatment of contaminated ground or surface waters.

e. Petroleum, fuel oil, and heating oil bulk stations and terminals including, but not limited to, those listed under Standard Industrial Classification (SIC) Codes 5171 and 5983. SIC Codes are established by the US Office of Management and Budget and may be determined by referring to the publication, Standard Industrial Classification Manual, and any other subsequent amendments;

f. Storage of liquid hazardous materials, as defined in M.G.L.c. 21E, and/or liquid petroleum products unless such storage is:

- 1) above ground level, and;
- 2) on an impervious surface, and
- 3) either: (i) in container(s) or above ground tank(s) within a building, or; (ii) outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either 10% of the total possible storage capacity of all containers, or 110% of the largest container's storage capacity, whichever is greater;
- 4) 310 CMR allows for the replacement of existing tanks/systems for the keeping, storage or dispensing of gasoline; and
- 5) 310 CMR exempts above-ground home heating oil systems from the containment requirement, and indoor tanks on impervious surfaces such as a basement floor, are allowed.

g. Storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31

h. Storage of deicing chemicals unless such storage, including loading areas, is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;

i. Storage of animal manure unless covered or contained in accordance with the specifications of the Natural Resource Conservation Service;

j. Earth removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material (including mining activities) to within 4 feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey, except for excavations for building foundations, roads, or utility works;

k. Discharge to the ground of non-sanitary wastewater including industrial and commercial process waste water, except:

- 1) the replacement or repair of an existing treatment works that will not result in a design capacity greater than the design capacity of the existing treatment works;
- 2) treatment works approved by the Department of Environmental Protection designed for the treatment of contaminated ground or surface water and operating in compliance with 314 CMR 5.05(3) or 5.05(13);
- 3) publicly owned treatment works;

l. Stockpiling and disposal of snow and ice containing deicing chemicals brought in from outside the district;

m. Storage of commercial fertilizers, as defined in M.G.L. c. 128, §64, unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate.

n. The rendering impervious of greater than fifteen percent (15%) or two thousand five hundred (2,500) square feet of any lot, whichever is greater except under the provisions of subsection 8323 c.

8323. Uses and Activities Requiring a Special Permit. The following uses and activities are permitted only upon the issuance of a Special Permit by the Special Permit Granting Authority (SPGA) under such conditions as they may require:

- a. Enlargement or alteration of existing uses that do not conform to the Groundwater Protection District;
- b. Those activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use, permitted in the underlying zoning (except as prohibited under Section 8322). Such activities shall require a special permit to prevent contamination of groundwater;
- c. A system of storm water management and artificial recharge of precipitation must be designed, and approved by the SPGA, to: prevent untreated discharges to wetland and surface water; preserve hydrologic conditions that closely resemble pre-development conditions; reduce or prevent flooding by managing peak discharges and volumes of runoff; minimize erosion and sedimentation; not result in significant degradation of groundwater; reduce suspended solids and

other pollutants to improve water quality and provide increased protection of sensitive natural resources. These standards may be met using the following or similar best management practices:

- 1) For lots occupied, or proposed to be occupied, by single or two family residences, recharge shall be attained through site design that incorporates natural drainage patterns and vegetation in order to maintain pre-development stormwater patterns and water quality to the greatest extent possible. Stormwater runoff from rooftops, driveways and other impervious surfaces shall be routed through grassed water-quality swales, as sheet flow over lawn areas, or into constructed stormwater wetlands, sand filters, organic filters and/or similar systems capable of removing nitrogen from stormwater;
- 2) For lots occupied, or proposed to be occupied by other uses, a stormwater management plan shall be developed which provides for the artificial recharge of precipitation to groundwater through site design that incorporates natural drainage patterns and vegetation, and through the use of constructed (stormwater) wetlands, wet (detention) ponds, water quality swales, sand filters, organic filters, or similar site-appropriate best management practices capable of removing nitrogen and other contaminants from stormwater. The stormwater management plan shall meet the Stormwater Management Standards and technical guidance contained in the most recent version of the Massachusetts Department of Environmental Protection's Stormwater Management Handbook, for the type of use proposed, and the soil types present on the site. Such runoff shall not be discharged directly to rivers, streams, and other surface water bodies, wetlands, or vernal pools. Dry wells shall be prohibited;
- 3) Except when used for roof runoff from non-galvanized roofs, all infiltration facilities (including wetlands, ponds, and swales) shall be preceded by oil, grease and sediment traps or other best management practices to facilitate control of hazardous materials spills and removal of contamination, and to avoid sedimentation of treatment and leaching facilities;
- 4) All artificial recharge systems shall be maintained in full working order by the owner(s), under the provisions of an operations and maintenance plan approved by the SPGA, to ensure that systems function as designed. Artificial recharge systems shall be located at least one hundred (100) feet from drinking water wells. Any infiltration basins or trenches shall be constructed with a three (3) foot minimum separation between the bottom of the structure and maximum groundwater elevation.

8330. Administrative Procedures.

8331. The Special Permit Granting Authority (SPGA) under this bylaw shall be **the Planning Board**. The SPGA shall not grant a special permit under this section unless the petitioner's application materials include, in the SPGA's opinion, sufficiently detailed, definite, and credible information to support positive findings in relation to the standards given in this section. The SPGA shall document the basis for any departures from the recommendations of the other town boards or agencies in its decision.

8332. Upon receipt of the special permit application, the SPGA shall transmit one copy each to the Board of Health, the Conservation Commission, Fire Department, Police Department, Building Commissioner, Town Manager, Planning Board and Town Department of Public Works for their written recommendations. The necessary number of copies of the application shall be furnished by the applicant. Each agency listed shall, within forty-five (45) days after the plan is filed, report to the SPGA, in writing, their approval or disapproval of the subject application:

- a. In the event of disapproval, the agencies shall make specific findings and reasons therefore, and, where possible, shall make recommendations for the adjustment thereof;
- b. Failure to respond in writing within 45 days of receipt shall indicate approval or no desire to comment by said agency.

8333. The SPGA may grant the required special permit only upon finding that the proposed use meets the following standards, those specified in Section 8320 of this bylaw, and any regulations or guidelines adopted by the SPGA. The proposed use must:

- a. In no way, during construction or thereafter, adversely affect the existing or potential quality of quantity of water that is available in the Groundwater Protection District; and
- b. Be designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.

8334. The SPGA may adopt regulations to govern design features of projects. Such regulations shall be consistent with special permit regulations adopted by the municipality.

8335. The applicant shall file 16 copies of a site plan and attachments with the Department of Community Development. The site plan shall be drawn at a proper scale as determined by the SPGA and be stamped by a professional engineer. All additional

submittals shall be prepared by qualified professionals. The site plan and its attachments shall at a minimum include the following information where pertinent:

- a. A complete list of chemicals, pesticides, herbicides, fertilizers, fuels, and other potentially hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use;
- b. For those activities using or storing such hazardous materials, a hazardous materials management plan shall be prepared and filed with the Director of Emergency Management, Fire Chief, and Board of Health. The plan shall include:
 - 1) provisions to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage, or vandalism, including spill containment and clean-up procedures;
 - 2) provisions for indoor, secured storage of hazardous materials and wastes with impervious floor surfaces;
 - 3) evidence of compliance with the Regulations of the Massachusetts Hazardous Waste Management Act 310 CMR 30, including obtaining an EPA identification number from the Massachusetts Department of Environmental Protection.
 - 4) proposed down-gradient location(s) for groundwater monitoring well(s), should the SPGA deem the activity a potential groundwater threat.

8336. The SPGA shall hold a hearing, in conformity with the provision of MGL Chapter 40A, Section 9, within 65 days after the filing of the application and after the review by the Town Boards, Departments, and Commissions. Notice of the public hearing shall be given by publication and posting and by first-class mailings to "parties of interest" as defined in MGL Chapter 40A, §11. The decision of the SPGA and any extension, modification, or renewal thereof shall be filed with the SPGA and Town Clerk within 90 days following the closing of the public hearing. Failure of the SPGA to act within 90 days shall be deemed as a granting of the permit. However, no work shall commence until a certification is recorded as required by §11.

8337. Written notice of any violations of this Section shall be given by the Building Commissioner to the responsible person as soon as possible after detection of a violation or a continuing violation. Notice to the assessed owner of the property shall be deemed notice to the responsible person. Such notice shall specify the requirement or restriction violated and the nature of the violation, and may also identify the actions necessary to remove or remedy the violations and preventive measures required for avoiding future violations and a schedule of compliance. A copy of such notice shall be submitted to the Building Inspector, the Board of Health, Conservation Commission, Town Engineer/Department of Public Works, and Water Department. The cost of containment, clean-up, or other action of compliance shall be borne by the owner and operator of the premises.

8340. Severability. A determination that any portion or provision of this overlay protection district is invalid shall not invalidate any other portion or provision thereof, nor shall it invalidate any special permit previously issued thereunder.

Or take any other action relative thereto.

Board of Health

Executive Summary: The purpose of this bylaw is to offer protection of the ground water supply currently being used by Tewksbury Hospital. The bylaw establishes a district in which certain activities that could contaminate the water supply are regulated, and possibly prohibited. This version of the bylaw using the numbering of the new revised Zoning Bylaw.

Motion: Board of Health Chairman, Stephanie Wilkie, motioned to Amend, and Adopt Article 4, as Amended.

The Planning Board recommended Adoption.

Ms. Wilkie's Amendment was Withdrawn.

9:51 PM 5/7/02

The Conservation Commission voted 4-3 to oppose Article 4.

Mr. Matthew Dailey motioned to Indefinitely Postpone Article 4.

Voted: Mr. Dailey's motion Failed.

9:55 PM 5/7/02

Mr. Lou Barinelli motioned to Amend and later Withdrew his Amendment to support Mr. Carey's Amendment.

Mr. Warren Carey motioned to Amend..

Voted: Mr. Carey's Amendment was Adopted.

9:45 PM 5/7/02

AMENDMENT: Page 71 Bottom Right

8330 Administrative Procedures

- 8331. Starting after the word be (the last word in line one)
Strike out everything from known (the first word in line two)
to the end of the second sentence met. (the third word in line ten)
and replace it with the words "the Planning Board."**

Mr. Greg Peters motioned to:

Amend Section 8310, and this motion Failed.

9:50 PM 5/7/02

Section 8311, was Withdrawn;

Section 8312, was Withdrawn;

Severability(8340), was Withdrawn.

A motion was made to Move the Question and this motion was Adopted.

9:55 PM 5/7/02

Article 4 was Adopted , as Amended. 80 YES, 6 NO (2/3's vote = 58)

9:56 PM 5/7/02

**THE VOTED AMENDMENT HAS BEEN INCORPORATED INTO ARTICLE 4,
SECTION 8331, AND IS DESIGNATED IN BOLD PRINT.**

ARTICLE 5

To see if the Town will vote to transfer \$110,457.50 of the unused proceeds of the \$15,344,000 borrowing authorized under Article 1 of the March, 1997 Special Town Meeting for construction of the John F. Ryan Elementary School to Article 1 of the May, 2000 Special Town Meeting for adding, remodeling, making extraordinary repairs to, equipping and furnishing the John W. Wynn Middle School or take any related action.

Town Manager

Executive Summary: Article 1 of the March, 1997 Special Town Meeting authorized the Town to borrow the sum of \$15,344,000 to construct, furnish and equip the new John F. Ryan Elementary School. That project was completed in September, 2000 at less than the amount anticipated. The remaining funds in the Ryan School account are being transferred to the John W. Wynn School account in accordance with Massachusetts General Law Chapter 44 Section 20 which allows a Town, with a vote of Town Meeting, to transfer funds remaining after the completion of a project to another project for which funds may be borrowed for an equal or longer period of time than that for which the original loan, including temporary debt, was issued.

Motion: The Finance Committee motioned to Adopt and Transfer \$ 110,457.50 for the purpose of Article 5.

Voted: Article 5 was Adopted, per the Finance Committee's Recommendation

9:59 PM 5/7/02.

ARTICLE 6

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 82, Section 23, as amended, and other applicable statutes, to accept the laying out of particular town ways by order of the Board of Selectmen as follows:

**TOWN OF TEWKSBURY
BY ORDER OF THE BOARD OF SELECTMEN
ROADWAY LAYOUT**

A certain parcel of land situated in Tewksbury, Middlesex County, Massachusetts and shown as "Andrea Drive" on a plan entitled "Definitive Subdivision Plan Sandy Acres in Tewksbury, MA (Middlesex County) prepared for Eagle Point Development Corporation, dated 7 April 2000 by Cuoco & Cormier Engineering Assoc., Inc. and being more particularly bounded and described as follows:

Beginning at a point on the southerly line Rogers Street, at a granite bound set, thence running;

Easterly and southerly by a curve to the right, along a new road to be called "Andrea Drive", having a radius of 30.0 feet, a distance of 48.20 feet, more or less, to a point at the beginning of a curve to the right, thence turning and running;

S 33° 14' 23" E along said Andrea Drive, a distance of 134.25 feet, more or less, to a point, thence turning and running;

Southerly by said curve having a radius of 100.00 feet, a distance of 14.97 feet, more or less, to a point, thence turning and running;

S 24° 39' 40" E along said Andrea Drive, a distance of 519.79 feet, more or less, to a point at the beginning of a curve to the right, thence turning and running;

Southerly by said curve having a radius of 30.00 feet, a distance of 27.4 feet, more or less, to a point at the beginning of a curve to the left, thence turning and running;

Southerly, easterly and northerly by said curve, having a radius of 60.00 feet, a distance of 298.09 feet, more or less, to a point, thence turning and running;

N 24° 39' 40" W along said Andrea Drive, a distance of 519.81 feet, more or less, to a point at the beginning of a curve to the left, thence turning and running;

Northerly and westerly by said curve having a radius of 150.00 feet, a distance of 22.46 feet, more or less, to a point, thence turning and running;

N 33° 14' 23" W, a distance of 146.52 feet, more or less, to a point, at the beginning of a curve to the right, thence turning and running;

Northerly and easterly, by said curve having a radius of 30.00 feet, a distance of 43.63, more or less, to a point on the southerly line of Rogers Street, thence turning and running;

S 50° 05' 06" W along southerly line of Rogers Street, a distance of 102.04, more or less, to the point of beginning.

Or take any other action relative thereto.

Board of Selectmen

Executive Summary: The purpose of this article is to accept Andrea Drive as a town street.

Motion: The Finance Committee motioned to Adopt Article 6.

Voted: Article 6 was Adopted.

10:00 PM 5/7/02

ARTICLE 7

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 82, Section 23, as amended, and other applicable statutes, to accept the laying out of particular town ways by order of the Board of Selectmen as follows:

TOWN OF TEWKSBURY
BY ORDER OF THE BOARD OF SELECTMEN
ROADWAY LAYOUT

DESCRIPTION of a roadway located in the County of Middlesex, State of Massachusetts in accordance with a plan entitled STREET ACCEPTANCE JENNIE'S WOODS, dated DECEMBER 18, 2000 and last revised FEBRUARY 2, 2001.

Said roadway being 50 feet in width and more fully described as follows:

BEGINNING AT A BOUND, SAID BOUND BEING ON THE Easterly side of South Street and northerly side of said roadway,

Thence, along a curve to the left having a radius of 30.00 feet, an arc length of 35.31 feet to a bound;

Thence, S 64°49'24" E, 36.16 feet to a bound;

Thence, along a tangent curve to the left with a radius of 125.00 feet, a distance of 37.65 feet to a bound;

Thence, S 82°04'48" E, 207.64 feet to a bound;

Thence, along a tangent curve to the right with a radius of 175.00 feet, a distance of 102.65 feet to a bound;

Thence, S 48°28'07" E, 306.22 feet to a bound;

Thence, along a tangent curve to the left with a radius of 125.00 feet, a distance of 73.66 feet to a bound;

Thence, S 82°13'52" E, 182.59 feet to a bound;

Thence, along a tangent curve to the left having a radius of 30.00 feet, a distance of 47.60 feet to a bound;

Thence, N 08°06'19" E, 71.03 feet to a bound;

Thence, along a tangent curve to the right with a radius of 185.00 feet, a distance of 177.43 feet to a bound;

Thence, N 63°03'23" E, 189.19 feet to a bound;

Thence, along a tangent curve to the right with a radius of 190.00 feet, a distance of 179.02 feet to a bound;

Thence, S 62°57'34" E, 211.65 feet to a pk nail set in the driveway for lot 20, tied to a bound set at the lot corner of lots 20/21 being 24.25' southerly;

Thence, along a tangent curve to the right with a radius of 185.00 feet, a distance of 416.31 feet to a railroad spike set in the driveway for lot 25, tied to a bound set at the lot corner of lots 25/26 being 9.26' westerly;

Thence, S 65°58'26" W, 153.66 feet to a bound;

Thence, along a tangent curve to the right with a radius of 185.00 feet, a distance of 167.23 feet to a bound;

Thence, N 62°13'59" W, 159.21 feet to a bound;

Thence, along a tangent curve to the left with a radius of 190.00 feet, a distance of 66.32 feet to a bound;

Thence, N 82°13'52" W, 349.36 feet to a bound;

Thence, along a tangent curve to the right with a radius of 175.00 feet, a distance of 103.12 feet to a bound;

Thence, N 48°28'07" W, 306.22 feet to a bound;

Thence, along a tangent curve to the left with a radius of 125.00 feet, a distance of 73.33 feet to a bound;

Thence, N 82°04'48" W, 326.66 feet to a bound;

Thence, along a curve to the right with a radius of 578.03 feet, a distance of 92.07 feet to the **POINT OF BEGINNING**.

This being the outer perimeter of said roadway.

BEGINNING AT A BOUND, said bound being at the southwesterly corner of lot 37 as shown on said plan;

Thence, N 08°06'19" E, 71.03 feet to a bound;

Thence, along a tangent curve to the right with a radius of 135.00 feet, a distance of 129.48 feet to a bound;

Thence, N63°03'23" E, 189.19 feet to a bound;

Thence, along a tangent curve to the right with a radius of 140.00 feet, a distance of 131.91 feet to a bound;

Thence, S 62°57'34" E, 211.65 feet to a pk nail set in the driveway of lot 33, tied to a bound set at the lot corner of lots 33/34 being 40.36' northerly;

Thence, along a tangent curve to the right with a radius of 135 00 feet, a distance of 303.79 feet to a bound;

Thence, S 65°58'26" W, 153.66 feet to a bound;

Thence, along a tangent curve to the right with a radius of 135.00 feet, a distance of 122.03 feet to a bound;

Thence, N 62°13'59" W, 159.21 feet to a bound (paved over) and a pk nail set which falls in the driveway of lot 30;

Thence, along a tangent curve to the left with a radius of 240.00 feet, a distance of 83.77 feet to a bound;

Thence, N 82°13'52" W, 56.77 feet to a bound;

Thence, along a tangent curve to the right with a radius of 30.00 feet, a distance of 47.30 feet to a bound;

Said bound being the **POINT OF BEGINNING**.

This being the inner perimeter of said roadway.

Or take any other action relative thereto.

Board of Selectmen

Executive Summary: The purpose of this article is to accept Jennie's Way as a town street.

Motion: Town Manager, David Cressman, motioned to Amend Article 7 and Adopt, as Amended.

Voted: The Town Manager's Amendment was Adopted.
Article 7 was Adopted, as Amended.

10:00 PM 5/7/02
10:00 PM 5/7/02

AMENDMENT: 3rd paragraph under DESCRIPTION 3rd line
change Woods to Way.

ARTICLE 8

To see if the Town will vote to transfer the sum of \$5,000 from the Selectmen's Salary Account to the Ryan School Gift Account to be expended by the School Department for the purchase of furnishings for the John F. Ryan Elementary School or to take any other action relative thereto.

Board of Selectmen

Executive Summary: Selectmen John Ryan has requested that his annual salary be donated to the Tewksbury School Department for the purpose of furnishing the John F. Ryan Elementary School.

Motion: The Finance Committee motioned to Amend and Transfer \$5000 for the purpose of Article 8.

Voted: Article 8 was Adopted, per the Finance Committee's Recommendation.

ARTICLE 9

To see if the Town will vote to transfer the following sums or take any action relative thereto:

FROM:

TO:

| | | | |
|------------|---|-----------|--|
| \$ 7,879 | Cable TV-Operating (Professional Services) | \$ 7,879 | School Dept-Salary |
| | | \$ 7,000 | Selectmen-Operating (Professional Services) |
| \$ 104,595 | Interest-Temporary Loans | \$ 7,000 | Selectmen-Operating (Legal Services) |
| \$ 26,000 | PRRB Salary Escrow | \$ 11,500 | Reserve Fund |
| | | \$ 17,500 | Computer Services Operating |
| | | \$ 16,000 | Town Counsel-Operating |
| | | \$ 495 | Town Hall-Salaries |
| | | \$ 9,600 | Police Salaries |
| | | \$ 6,500 | Fire-Regular Salaries |
| | | \$ 5,000 | Fire-Salaries (Uniform Allowance) |
| | | \$ 10,000 | Fire-Operating |
| | | \$ 13,000 | Veterans Aid-Operating |
| | | \$ 20,000 | Occupational Injury Reserve |
| | | \$ 2,000 | Unemployment Compensation |
| | | \$ 5,000 | Fire/Liability Insurance |
| <hr/> | | <hr/> | |
| \$138,474 | Total | \$138,474 | Total |

Town Manager

Executive Summary: This article is the regular Special Town Meeting article where the Town transfers funds from accounts with a projected surplus to accounts with projected deficits.

Motion: The Finance Committee motioned to Amend Article 9 and Adopt, as Amended.

Voted: The Finance Committee's Amendment was Adopted.
Article 9 was Adopted, as Amended.

10:02 PM 5/7/02
10:02 PM 5/7/02

ARTICLE 9
AMENDMENT:

| <u>FROM:</u> | | <u>TO:</u> | |
|------------------------------|--------------------------|------------------------|--|
| \$ 7,879 | Cable TV-Operating | \$7,879 | School Dept.-Salary (Professional Services) |
| \$ 104,595 | Interest-Temporary Loans | \$9,000 | Selectmen-Operating (Professional Services) |
| \$ 31,000 | PRRB Salary-Escrow | | |
| \$ 10,000 | Planning Board-Salaries | \$22,000 | Selectmen-Operating (Legal Services) |
| \$ 20,000 | Library Salaries | | |
| \$ 14,900 | Assessor-Salaries | \$ 5,000 | Computer Services-Operating |
| \$ 5,000 | Library-Operating | \$16,000 | Town Counsel-Operating |
| | | \$ 495 | Town Hall Salaries |
| | | \$25,000 | Fire-Regular-Salaries |
| | | \$ 5,000 | Fire Salaries (Uniform Allowance) |
| | | \$10,000 | Fire Operating |
| | | \$13,000 | Veterans Aid-Operating |
| | | \$25,000 | Occupational Injury Reserve |
| | | \$ 2,000 | Unemployment Compensation |
| | | \$ 5,000 | Fire/Liability Insurance |
| | | \$25,000 | Master Plan Special Article |
| | | \$23,000 | Dog Officer – Capital Outlay |
| <hr/> \$193,374 Total | | <hr/> \$193,374 | |

ARTICLE 10

To see if the Town will vote to transfer \$60,700 from the Town Manager Salary Escrow Account and \$140,000 from the Personnel Relations Review Board Salary Escrow Account to Police Salaries to implement the labor agreement recently signed with Local 352 of the International Brotherhood of Police Officers or take any other action related thereto.

Town Manager

Executive Summary: The intent of this article is to fund and implement the labor agreement with Local 352 of the International Brotherhood of Police Officers.

Motion: The Finance Committee motioned to Adopt and Transfer for the purpose of the Article.

Voted: Article 10 was Adopted, per the Finance Committee's Recommendation.

10:03 PM 5/7/02

ARTICLE 11

To see if the Town will vote to amend the Personnel By-Law Section III (e) Salaries and Wages by adding the following new position and wage schedule to be effective July 1, 2002:

Administrative Assistant/Permit Technician

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|----------|----------|----------|----------|----------|----------|
| \$32,129 | \$33,989 | \$35,957 | \$38,053 | \$40,255 | \$42,587 |

Or take any other action relative thereto.

Building Commissioner

Executive Summary: This would be a full time Building Department Staff position who would oversee the part-time support staff and be responsible to insure the smooth flow of building permit applications and procedures. This person would be required to pass the "Permit Technician" exam administered by the BOCA National Certification Program.

Motion: The Finance Committee motioned to Adopt Article 11.

Voted: Article 11 was Adopted.

10:04 PM 5/7/02

ARTICLE 12

To see if the Town will vote to transfer the sum of \$36,630 from Fire-Salaries to a new special revenue fund - "Compensation Fund" or take any related action.

Town Manager

Executive Summary: This transfer will allow the above amount, which was anticipated to be paid out in FY02, to be carried over into FY03 at which time it will be paid to a retiring firefighter to cover vacation and sick leave buy-back.

Motion: The Finance Committee motioned to Adopt and Transfer \$36,630 for the purpose of Article 12.

Voted: Article 12 was Adopted, per the Finance Committee's Recommendation.

10:04 PM 5/7/02

ARTICLE 13

To see if the Town will vote to transfer the sum of \$4,650 of the unused proceeds of Article 4 of the May, 2001 Special Town Meeting to Article 3 of the December, 2000 Special Town Meeting or take any related action.

School Committee

Executive Summary: The purpose of this article to transfer available funds from the "Proceeds from the Sale of Real Estate Fund" which were authorized to be expended for improvements to Tewksbury Memorial High School under Article 4 of the May, 2001 Special Town Meeting to Article 3 of the December, 2000 Special Town Meeting which authorized borrowing \$270,000 for the purpose of renovating and making improvements to the Center School and Dewing School Offices. The additional funds are needed to cover a small cost overrun on the renovation of the Center School.

Motion: The Finance Committee motioned to Adopt and Transfer \$4,650 for the purpose of Article 13.

Voted: Article 13 was Adopted, per the Finance Committee's Recommendation.

10:05 PM 5/7/02

ARTICLE 14

To see if the town will vote to amend the Personnel By-Law Section III (e) Salaries and Wages to be effective July 1, 2002, as follows:

DELETE:

Director, Council on Aging

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|--------|----------|----------|----------|----------|----------|
| | \$43,103 | \$45,257 | \$47,520 | \$49,897 | \$52,391 |

ADD:

Director, Council on Aging

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|--------|----------|----------|----------|----------|----------|
| | \$42,024 | \$45,176 | \$48,328 | \$51,479 | \$54,631 |

Or take any other action relative thereto.

Town Manager

Executive Summary: The purpose of this article is to correct an omission in a previous article regarding this position.

Motion: The Finance Committee motioned to Adopt Article 14.

Voted: Article 14 was Adopted by a secret ballot vote. 50 YES, 8 NO

10:15 PM 5/7/02

ARTICLE 15

To see if the Town will authorize the Board of Selectmen to petition the General Court to permit Paul Thomas to have his name placed in the first position of the eligible list for appointment to such police service provided he passes the written and physical examination for entrance to the police service and also provided he meets the requirements of Massachusetts General Law, chapter 31, section 26, as amended by Chapter 402, Acts of 1985 and Massachusetts General Law, chapter 32, section 7.

Or take any other action relative thereto.

Paul Thomas and Others

Executive Summary: The purpose of this article is to submit to the General Court documents authorizing the retirement of permanently disabled and retired police officer, Paul Thomas, to allow his son , Paul Thomas, to be eligible and receive the applicable benefits by having his name placed on the eligible list for appointment to the police service immediately below the names of disabled veterans.

Finance Committee Chairman, Ray Shaw, motioned to take Article 15 Out of Order , and act on Article 15 before Article 14, and this motioned was Adopted.

10:05 PM 5/7/02

Motion: The Finance Committee deferred to the Petitioner.

Mr. Paul Thomas, retired Police Officer, motioned to Adopt Article 15.

The Board of Selectmen concurred.

Voted: Article 15 was Adopted.

10:09 PM 5/7/02

Finance Committee Chairman, Ray Shaw, motioned to adjourn the May 7, 2002, Special Town Meeting, Sine Die, and this motion was Adopted.

10:15 PM 5/7/02

TRUE COPY ATTEST:

ELIZABETH A. CAREY, CMC, CMMC
TOWN CLERK

State Primary

September 17, 2002

At a meeting of the Inhabitants of the Town of Tewksbury, called by proper warrant and qualified to vote in Town affairs, held this day at the DPW for Precinct 1 and 1A; at the Teen Center for Precinct 2; at the South Fire Station for Precinct 2A; at the Senior Center for Precinct 3 and 3A; and at the Library for Precinct 4 and 4A, the following business was transacted. Registered on the ballot boxes in the seven Precincts showed 0000, and check lists were in order. Polls opened at 7:00 AM and closed at 8:00 PM. There were 4,901 votes cast. Precinct 1 - 494, Precinct 1A - 614, Precinct 2 - 569, Precinct 2A - 564, Precinct 3 - 661, Precinct 3A - 677, Precinct 4 - 607, and Precinct 4A - 715.

Precinct 1 - Alice Golen, Warden
 Precinct 1A - Mary A. Casazza, Warden
 Precinct 2 - Bernice Sprague, Warden
 Precinct 2A - Rosemarie Krugh, Warden
 Precinct 3 - Virginia Perrin, Warden
 Precinct 3A - Rita Coyle, Warden
 Precinct 4 - Mary Ann Nichols, Warden
 Precinct 4A - Rita O'Brien Dee, Warden

Alice A. Carroll, Clerk
 Anne M. Callahan, Clerk
 Marie T. Magro, Clerk
 Bertha D'Amico, Clerk
 Angela T. Callahan, Clerk
 Mary Pilcher, Clerk
 Rita O'Brien Dee, Clerk
 Dorothy McGrath, Clerk

STATE PRIMARY SEPTEMBER 17, 2002 DEMOCRATIC PARTY PRECINCT TOTALS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

SENATOR IN CONGRESS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 49 | 78 | 50 | 59 | 82 | 97 | 78 | 89 | 582 |
| Kerry | 266 | 364 | 373 | 340 | 349 | 366 | 359 | 450 | 2867 |
| Others | 0 | 5 | 3 | 3 | 1 | 9 | 2 | 7 | 30 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

GOVERNOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 0 | 7 | 5 | 5 | 3 | 5 | 8 | 13 | 46 |
| Birmingham | 94 | 165 | 144 | 114 | 142 | 141 | 165 | 203 | 1168 |
| Grossman | 0 | 2 | 4 | 7 | 4 | 3 | 8 | 2 | 30 |
| O'Brien | 101 | 106 | 145 | 120 | 124 | 156 | 122 | 150 | 1024 |
| Reich | 44 | 83 | 52 | 76 | 60 | 81 | 67 | 77 | 540 |
| Tolman | 75 | 84 | 75 | 80 | 99 | 86 | 69 | 100 | 668 |
| Others | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 3 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

LIEUTENANT GOVERNOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 24 | 50 | 36 | 29 | 41 | 39 | 41 | 50 | 310 |
| Gabrieli | 139 | 183 | 203 | 173 | 183 | 206 | 176 | 205 | 1468 |
| Pines | 90 | 115 | 97 | 104 | 110 | 119 | 117 | 163 | 915 |
| Slattery | 61 | 99 | 90 | 96 | 97 | 106 | 105 | 126 | 780 |
| Others | 1 | 0 | 0 | 0 | 1 | 2 | 0 | 2 | 6 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

ATTORNEY GENERAL

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 62 | 98 | 76 | 72 | 88 | 112 | 94 | 95 | 697 |
| Reilly | 252 | 348 | 349 | 327 | 342 | 359 | 344 | 446 | 2767 |
| Others | 1 | 1 | 1 | 3 | 2 | 1 | 1 | 5 | 15 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

SECRETARY OF STATE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 67 | 110 | 87 | 84 | 95 | 135 | 100 | 106 | 784 |
| Galvin | 247 | 337 | 338 | 316 | 337 | 336 | 339 | 436 | 2686 |
| Others | 1 | 0 | 1 | 2 | 0 | 1 | 0 | 4 | 9 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

TREASURER

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|-----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 33 | 60 | 41 | 40 | 55 | 63 | 51 | 59 | 402 |
| M. Cahill | 60 | 78 | 76 | 78 | 68 | 82 | 92 | 87 | 621 |
| T. Cahill | 113 | 163 | 161 | 136 | 173 | 175 | 146 | 213 | 1280 |
| Murphy | 61 | 83 | 80 | 78 | 79 | 76 | 85 | 113 | 655 |
| Segel | 47 | 63 | 68 | 69 | 57 | 76 | 65 | 74 | 519 |
| Others | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 2 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

AUDITOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 77 | 110 | 104 | 91 | 112 | 148 | 100 | 127 | 869 |
| DeNucci | 236 | 336 | 321 | 309 | 318 | 324 | 339 | 416 | 2599 |
| Others | 2 | 1 | 1 | 2 | 2 | 0 | 0 | 3 | 11 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

REPRESENTATIVE IN CONGRESS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 72 | 121 | 93 | 74 | 111 | 136 | 97 | 127 | 831 |
| Meehan | 238 | 324 | 328 | 325 | 317 | 330 | 340 | 410 | 2612 |
| Others | 5 | 2 | 5 | 3 | 4 | 6 | 2 | 9 | 36 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

COUNCILLOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 42 | 52 | 49 | 47 | 55 | 66 | 68 | 66 | 445 |
| Manning | 48 | 59 | 65 | 63 | 57 | 74 | 62 | 81 | 509 |
| Connolly | 213 | 322 | 302 | 273 | 302 | 311 | 294 | 375 | 2392 |
| Tuttle | 10 | 14 | 10 | 19 | 18 | 21 | 15 | 23 | 130 |
| Others | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 3 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

SENATOR IN GENERAL COURT

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 64 | 107 | 83 | 78 | 88 | 131 | 97 | 120 | 768 |
| Tucker | 249 | 340 | 342 | 323 | 343 | 340 | 341 | 423 | 2701 |
| Others | 2 | 0 | 1 | 1 | 1 | 1 | 1 | 3 | 10 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

REPRESENTATIVE IN GENERAL COURT

| Precinct | 1 | 1A | 2 | 2A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 46 | 62 | 64 | 55 | 90 | 88 | 405 |
| Miceli | 268 | 381 | 358 | 346 | 343 | 457 | 2153 |
| Others | 1 | 4 | 4 | 1 | 6 | 1 | 17 |
| Total | 315 | 447 | 426 | 402 | 439 | 546 | 2575 |

| Precinct | 3 | 3A | Total |
|----------|-----|-----|-------|
| Blanks | 67 | 81 | 148 |
| Finegold | 279 | 307 | 586 |
| Frishman | 86 | 82 | 168 |
| Others | 0 | 2 | 2 |
| Total | 432 | 472 | 904 |

DISTRICT ATTORNEY

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 65 | 92 | 78 | 67 | 93 | 117 | 101 | 110 | 723 |
| Coakley | 250 | 354 | 348 | 332 | 338 | 355 | 337 | 433 | 2747 |
| Others | 0 | 1 | 0 | 3 | 1 | 0 | 1 | 3 | 9 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

REGISTER OF PROBATE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 25 | 65 | 51 | 49 | 62 | 70 | 65 | 68 | 455 |
| Buonomo | 96 | 122 | 143 | 128 | 111 | 123 | 146 | 144 | 1013 |
| Harpell | 29 | 41 | 32 | 37 | 48 | 55 | 39 | 56 | 337 |
| McMahon | 163 | 218 | 200 | 188 | 210 | 224 | 189 | 276 | 1668 |
| Others | 2 | 1 | 0 | 0 | 1 | 0 | 0 | 2 | 6 |
| Total | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |

STATE PRIMARY SEPTEMBER 17, 2002 GREEN PARTY

PRECINCT TOTALS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

SENATOR IN CONGRESS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

GOVERNOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stein | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

LIEUTENANT GOVERNOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Lorenzen | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

ATTORNEY GENERAL

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

SECRETARY OF STATE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

TREASURER

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| O'Keefe | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

AUDITOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

REPRESENTATIVE IN CONGRESS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

COUNCILLOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

SENATOR IN GENERAL COURT

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

REPRESENTATIVE IN GENERAL COURT

| Precinct | 1 | 1A | 2 | 2A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

| Precinct | 3 | 3A | Total |
|----------|---|----|-------|
| Blanks | 0 | 0 | 0 |
| Others | 0 | 0 | 0 |
| Total | 0 | 0 | 0 |

DISTRICT ATTORNEY

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

REGISTER OF PROBATE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |

STATE PRIMARY SEPTEMBER 17, 2002 LIBERTARIAN PARTY

PRECINCT TOTALS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

SENATOR IN CONGRESS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| Cloud | 1 | 1 | 0 | 2 | 1 | 1 | 0 | 0 | 6 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

GOVERNOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Howell | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

LIEUTENANT GOVERNOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| Aucoin | 1 | 1 | 0 | 1 | 1 | 2 | 0 | 0 | 6 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

ATTORNEY GENERAL

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

SECRETARY OF STATE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

TREASURER

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

AUDITOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 2 |
| Jain | 1 | 1 | 0 | 1 | 1 | 1 | 0 | 0 | 5 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

REPRESENTATIVE IN CONGRESS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Freedman | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

COUNCILLOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

SENATOR IN GENERAL COURT

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

REPRESENTATIVE IN GENERAL COURT

| Precinct | 1 | 1A | 2 | 2A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|-------|
| Blanks | 1 | 1 | 0 | 2 | 0 | 0 | 4 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Precinct | 3 | 3A | Total |
|----------|---|----|-------|
| Blanks | 1 | 2 | 3 |
| Others | 0 | 0 | 0 |
| Total | 1 | 2 | 3 |

DISTRICT ATTORNEY

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

REGISTER OF PROBATE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|---|----|---|----|---|----|---|----|-------|
| Blanks | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |
| Others | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |

**STATE PRIMARY
SEPTEMBER 17, 2002
REPUBLICAN PARTY**

PRECINCT TOTALS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

SENATOR IN CONGRESS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 155 | 147 | 130 | 144 | 197 | 187 | 153 | 146 | 1259 |
| Others | 23 | 19 | 13 | 16 | 31 | 16 | 14 | 23 | 155 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

GOVERNOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 13 | 9 | 12 | 15 | 13 | 14 | 10 | 13 | 99 |
| Romney | 164 | 155 | 130 | 144 | 213 | 188 | 153 | 153 | 1300 |
| Others | 1 | 2 | 1 | 1 | 2 | 1 | 4 | 3 | 15 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

LIEUTENANT GOVERNOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|---------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 0 | 3 | 3 | 0 | 4 | 1 | 3 | 2 | 16 |
| Murphy Healey | 102 | 95 | 83 | 100 | 153 | 137 | 96 | 98 | 864 |
| Rappaport | 76 | 68 | 57 | 60 | 70 | 64 | 67 | 69 | 531 |
| Others | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 3 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

ATTORNEY GENERAL

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 167 | 155 | 137 | 150 | 214 | 192 | 157 | 154 | 1326 |
| Others | 11 | 11 | 6 | 10 | 14 | 11 | 10 | 15 | 88 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

SECRETARY OF STATE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 78 | 77 | 63 | 80 | 109 | 96 | 84 | 82 | 669 |
| Robinson | 100 | 88 | 79 | 80 | 118 | 106 | 80 | 85 | 736 |
| Others | 0 | 1 | 1 | 0 | 1 | 1 | 3 | 2 | 9 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

TREASURER

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 28 | 33 | 26 | 21 | 34 | 42 | 29 | 27 | 240 |
| Grabauskas | 84 | 74 | 58 | 80 | 105 | 93 | 83 | 90 | 667 |
| Herzfelder | 66 | 59 | 58 | 59 | 89 | 67 | 53 | 51 | 502 |
| Others | 0 | 0 | 1 | 0 | 0 | 1 | 2 | 1 | 5 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

AUDITOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 172 | 159 | 137 | 152 | 217 | 199 | 162 | 159 | 1357 |
| Others | 6 | 7 | 6 | 8 | 11 | 4 | 5 | 10 | 57 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

REPRESENTATIVE IN CONGRESS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 29 | 24 | 25 | 35 | 41 | 35 | 28 | 31 | 248 |
| McCarthy | 93 | 83 | 61 | 62 | 125 | 98 | 61 | 78 | 661 |
| Tierney | 56 | 58 | 57 | 63 | 62 | 69 | 77 | 58 | 500 |
| Others | 0 | 1 | 0 | 0 | 0 | 1 | 1 | 2 | 5 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

COUNCILLOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 169 | 158 | 138 | 152 | 215 | 182 | 161 | 158 | 1333 |
| Others | 9 | 8 | 5 | 8 | 13 | 21 | 6 | 11 | 81 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

SENATOR IN GENERAL COURT

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 157 | 151 | 133 | 146 | 207 | 168 | 155 | 152 | 1269 |
| Marasco | 11 | 10 | 0 | 7 | | 14 | 6 | 3 | 51 |
| Others | 10 | 5 | 10 | 7 | 21 | 21 | 6 | 14 | 94 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

REPRESENTATIVE IN GENERAL COURT

| Precinct | 1 | 1A | 2 | 2A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 65 | 58 | 52 | 56 | 155 | 60 | 446 |
| Ballou | 112 | 108 | 90 | 103 | 12 | 105 | 530 |
| Others | 1 | 0 | 1 | 1 | | 4 | 7 |
| Total | 178 | 166 | 143 | 160 | 167 | 169 | 983 |

| Precinct | 3 | 3A | Total |
|----------|-----|-----|-------|
| Blanks | 214 | 196 | 410 |
| Others | 13 | 8 | 21 |
| Total | 227 | 204 | 431 |

DISTRICT ATTORNEY

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 167 | 159 | 136 | 154 | 215 | 195 | 161 | 158 | 1345 |
| Others | 11 | 7 | 7 | 6 | 13 | 8 | 6 | 11 | 69 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

REGISTER OF PROBATE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Blanks | 65 | 68 | 59 | 60 | 83 | 88 | 61 | 62 | 546 |
| Lambert | 112 | 97 | 84 | 100 | 145 | 113 | 102 | 105 | 858 |
| Others | 1 | 1 | 0 | 0 | 0 | 2 | 4 | 2 | 10 |
| Total | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |

STATE PRIMARY

SEPTEMBER 17, 2002

TOTAL VOTE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|-------------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Democratic | 315 | 447 | 426 | 402 | 432 | 472 | 439 | 546 | 3479 |
| Green Party | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Libertarian | 1 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 7 |
| Republican | 178 | 166 | 143 | 160 | 228 | 203 | 167 | 169 | 1414 |
| Total | 494 | 614 | 569 | 564 | 661 | 677 | 607 | 715 | 4901 |

| | |
|-------------------------|-------|
| Total Registered Voters | 16231 |
| Total Votes | 4901 |
| Percent | 30% |

A True Copy Attest:
Elizabeth A. Carey
Town Clerk

Special Town Meeting

October 1, 2002

Accountant, Chief Assessor, Finance Director, Treasurer, Collector, Town Manager, Board of Selectmen, and Finance Committee:
Pursuant to Section 15A, Chapter 41, Massachusetts General Laws, I hereby certify to the funds appropriated at the Special Town Meeting, convened by proper Warrant on October 1, 2002.

APPROPRIATION CERTIFICATE – SPECIAL TOWN MEETING OCTOBER 1, 2002

| ARTICLE | RAISE & APPROPRIATE | TRANSFER FROM | BORROW |
|--|------------------------|---|------------------|
| 1. Design & Construction of Sewers in All Areas of Town that do not Currently have Access to Sewer. | | | \$ 80,600,000.00 |
| 5. Install Sidewalks in Various Parts of Town and Shall be Contingent on Passage of Proposition 2 ½ Debt Exclusion Vote, November 5, 2002, State Election. | | | \$ 1,000,000.00 |
| 9. Certain Sums of Money to Specific Accounts | | \$ 373,390.00 From Previously Appropriated Monies | |
| 10. Offset Payment of Short Term Debt Relating to Water Treatment Plant | | \$ 2,924,000.00 From Sale of Court St. Land | |
| 11. Reduce Free Cash | | \$ - 30,065.00 E & D Account (Reduce from the \$2,236,349.00 Voted Under Article 3-23 at the 2002 A.T.M.)* | |
| 12. Pay Outstanding Bills | \$ 7,754.98 | | |
| 15. Public Library Budget FY2003 | | \$ 4,000.00 Bob Jones Nature Fund \$ 5,875.00 Mass. Electric Energy Conservation Grant | |
| 16. School Department Budget | \$ 370,325.00 | | |
| Total Raise & Appropriate | | \$ 378,079.98 | |
| Transfers | | \$ 3,307,265.00 | |
| Transfer from E&D | | \$ - 30,065.00 | |
| Total Borrow | | | \$ 81,600,000.00 |

* This action lowers the "Reduce Tax Levy" amount on the 2002 A.T.M. Recapitulation to \$ 2,206,284.00 and increases the "Net Tax Levy" on the same Recap to \$ 66,251,493.00.

ATTEST:
ELIZABETH A. CAREY, CMC, CMMC
TOWN CLERK

**SPECIAL TOWN MEETING
OCTOBER 1, 2002**

Moderator James Coakley opened the October 1, 2002 Special Town Meeting at 7:00 PM and recessed the meeting for ten minutes to allow the line of voters additional time to check-in.

Moderator Coakley reconvened the Special Town Meeting at 7:10 PM.

There were 909 registered voters and 50 visitors in attendance.

Board of Selectman Chairman Kevin Anderson announced the Hazardous Waste Collection Day is scheduled for Saturday, October 19, 2002 from 9:00 AM to 1:00 PM at the DPW, 999 Whipple Road.

Finance Committee Chairman, Ray Shaw, motioned to Waive the Reading of the Warrant Articles and this motion was Adopted.
7:12 PM (10-1-02)

ARTICLE 1

To see if the Town will vote to appropriate the sum of \$80,600,000 for design, construction and supervision of construction of sanitary sewers and their appurtenances and other costs incidental and related thereto in the Town of Tewksbury: that the Town Manager is authorized to expend these sums on behalf of the Town to acquire any fee, easement, or other interest in land by purchase, gift or otherwise: that to raise such appropriation, the Treasurer, with approval of the Board of Selectmen, is authorized to borrow \$80,600,000 under and pursuant to Chapter 44 Section 7(1), of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefore or borrow from the Massachusetts Water Pollution Abatement Trust and that the Town Manager is authorized to apply for, accept and expend any federal, state or private grants or contributions that may be available with respect to the project, all of which contributions and grants shall be applied to the project in addition to the sums appropriated by the Town for such purposes.

Town Manager

Executive Summary: This article authorizes the Town to borrow funds for the design and construction of sewers in all areas of the Town of Tewksbury that do not currently have access to sewer. The article also allows to Town to expend any gift or grant money that it may receive for this project. The sewer committee appointed by the Board of Selectmen recommends the above amount based on consultations with an engineering firm hired by the Town. It is expected that the project will be done in six phases and take approximately eight years to complete. Funds will be recovered through user rates and the assessment of a connection fee.

Motion: Finance Committee Chairman, Ray Shaw, motioned to Amend and Adopt Article 1, as Amended.
Mr. Jerry Selissen, Chairman of the Sewer Plan Committee, concurred.
Mr. Kevin Donnelly motioned to Amend Article 1.

| | |
|---|-------------------|
| The Assembly voted to allow two non-voters to address the Assembly. | 7:15 PM (10-1-02) |
| Mr. Mosewick's request to ask another question Failed. | 7:34 PM (10-1-02) |
| A motion was made to Move the Question and this motion was Adopted. | 7:47 PM (10-1-02) |

| | |
|--|-------------------|
| Voted: Mr. Donnelly's Amendment Failed. | 7:49 PM (10-1-02) |
| The Finance Committee's Amendment was Adopted. | 7:49 PM (10-1-02) |

| | |
|------------------------------------|-------------------|
| Article 1 was Adopted, as Amended. | 7:49 PM (10-1-02) |
| YES 675 NO 43 (2/3's vote = 479) | |

Finance Committee's Amendment:

To see if the Town will vote to appropriate \$80,600,000 for the purpose of financing the design, construction and supervision of construction of sanitary sewers and their appurtenances and other costs incidental and related thereto in the Town of Tewksbury; including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; the Town Manager is authorized to expend these sums on behalf of the Town to acquire any fee, easement or other interest in land by purchase, gift or otherwise, that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow \$80,600,000 and issue bonds or notes therefor under Chapter 44 Section 7 (1) of the General Laws and/or Chapter 29C of the General Laws or

any other enabling authority; that such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement with the trust and otherwise to contract with the trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection to expend all funds available for the project and to take any other action necessary to carry out the project, provided, however, that (i) in the event that funds authorized for this project by this vote are not borrowed for this purpose and if the Selectmen shall certify that such funds are not needed to complete the project authorized hereby, then any such amounts shall be automatically rescinded upon such certification by the Board of Selectmen; and (ii) any funds borrowed for this project which shall not be necessary for the completion of this project, as the Board of Selectmen shall determine, may be appropriated only for costs associated with another sewer project, and may not be applied to the costs of any other capital project of the Town, unless the Town is advised in a written opinion of bond counsel, that such expenditure is necessary to comply with the applicable requirements of the Internal Revenue Code of 1986, as amended.

ARTICLE 2

To see if the Town will vote to accept the provisions of Chapter 44 Section 53F1/2 of the Massachusetts General Laws, establishing Sewer as an enterprise fund effective July 1, 2003.

Town Manager

Executive Summary: This article authorizes the establishment of an enterprise fund, beginning July 1, 2003, to account for sewer user revenues and expenditures. These revenues and expenditures are segregated for accounting purposes and may only be used for purposes relating to sewer.

Motion: Finance Committee Chairman, Ray Shaw, motioned to Adopt Article 2, as written.
Sewer Plan Committee Chairman, Jerry Selissen, concurred.

Voted: Article 2 was Adopted, as written.

7:57 PM (10-1-02)

ARTICLE 3

To see if the Town will vote to amend the Town By-Laws "Repairs on Private Ways" by adding a new paragraph to existing Section 12.04.265 as follows.

Add:

As of July 1, 2003, the owner of real property situated within the Town and abutting on any street, alley or right of way in which there is actually located a public sanitary sewer of the Town; or any private sanitary sewer that connects to the Town system where the owner of such property will allow those abutting access to that sanitary sewer in accordance with the provisions of Town rules and regulations pertaining to sewer connection fees and the use of sewers; is hereby required at owner's expense to pay a sewer connection fee in accordance with the provisions of Town rules and regulations pertaining to sewer connection fees and the use of sewers within five years of the official notice to do so. Or take any other action relative thereto.

Town Manager

Executive Summary: This article changes the time period for payment of a sewer connection fee from two years to five years effective July 1, 2003.

Motion: The Finance Committee motioned to Adopt Article 3, as written.

Voted: Article 3 was Adopted, as written.

7:58 PM (10-1-02)

ARTICLE 4

To see if the Town will vote to amend the Town By-Laws by adding to Chapter 12.04 Streets, Article VIII, a new Section 12.04.400 Sewer Connection Fee, as follows:

**CONNECTION FEES
BY-LAW
TOWN OF TEWKSBURY, MASSACHUSETTS**

12.04.400 General

The Town of Tewksbury, acting through its Town Manager or duly authorized agent, shall assess the owners of the land abutting a public sewer line installed **after January 1, 2003** by the Town by a rate based upon the schedule listed below.

If any provisions of this by-law or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these regulations which can be given effect without such invalid provisions or applications.

12.04.410 Method of Assessing Connection Fees

1. General

The Town of Tewksbury shall assess sewer connection fees based upon the following schedule:

| <u>Water Meter Size (inches)</u> | <u>Connection Fee</u> |
|---|--|
| * " \leq " 5/8 single family home or well users using well for drinking water equals one sewer unit | \$3,000.00 * (" $<$ " meaning less than or equal to) |
| $\frac{3}{4}$ non-single family | \$4,500.00 |
| 1 " " " | \$7,500.00 |
| $1\frac{1}{2}$ " " " | \$15,000.00 |
| 2 " " " | \$24,000.00 |
| 3 " " " | \$48,000.00 |
| 4 " " " | \$75,000.00 |
| 6 " " " | \$150,000.00 |
| 8 " " " | \$240,000.00 |
| 10 " " " | \$345,000.00 |

For properties with one water meter, which service multiple units or users, the following schedule shall apply:

- a. Duplex units shall be deemed to have two sewer units with kitchen facilities in each unit
- b. Multiple family dwellings shall be deemed to have one sewer unit for each dwelling unit with a kitchen facility in the dwelling unit
- c. Non-residential condominiums or multiple tenant properties and hotels with kitchen facilities in each unit shall be deemed to have one sewer unit in each unit unless the meter size charge results in a higher assessment

2. Connection Fees

The time of a assessment of connection fees abutting a sewer line shall be that date upon which the sewer system with appurtenances is "approved for use" as so designated by the Superintendent of Public Works.

12.04.420 Connection Fee Payments

1. General

Except as herein provided in section 12.04.265 and the provisions of the Massachusetts General Laws Chapter 83 relative to the assessment, apportionment, division, re-assessment, abatement and collection of sewer assessments, to liens therefore, and interest thereon shall apply to assessments made under these regulations, and the Tax Assessor of the Town shall have all the powers conveyed by the Massachusetts General Laws.

2. Lump Sum Payment

Property owners shall have the option to pay connection fees with a lump sum payment.

3. Apportionment of Connection Fee

Property owners shall have the option of paying fees over a five (5) year period in equal installments without interest but shall be charged interest after five years from the date of their first bill.

Or take any action relative thereto.

Sewer Committee

Executive Summary: The purpose of this article is to establish by by-law the amount and method of sewer fee connection assessment in order to finance part of the costs of implementing the Master Sewer Plan.

Motion: The Finance Committee motioned to Amend and Adopt Article 4, as Amended.

Voted: The Finance Committee's Amendment was Adopted. 8:01 PM (10-1-02)
Article 4 was Adopted, as Amended. 8:01 PM (10-1-02)

***Finance Committee's Amendment:**

12.04.400 General

In the first sentence add the words "after January 1, 2003" after the word "installed".

12.04.410 Method of Assessing Connection Fees

1. General

Place the symbol " \leq " (meaning less than or equal to) before the words "5/8 single family home".

***The above Amendments have been incorporated into Article 4 and are highlighted in bold print.**

ARTICLE 5

To see if the town will vote to raise and appropriate by borrowing the sum of \$1,000,000.00 for the construction of sidewalks on various streets in the Town, including costs incidental and related thereto; that the Town Manager is authorized to expend these sums and on behalf of the Town to acquire any fee, easement or purchase, gift or otherwise; that to raise such appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$1,000,000.00 under and pursuant to Chapter 44, Section 7(5) of the General Laws or any other enabling authority, and to issue bonds or notes of the Town therefor; and that the Town Manager is authorized to apply for, accept and expend any federal, state or private grants or contributions that may be available with respect to the project, all of which contributions and grants shall be applied to the project in addition to the sums appropriated by the Town for such purposes; provided that this vote shall be contingent on passage by voters of a Proposition 2 ½ debt exclusion vote at a town or state election, or take any other action relative thereto.

Board of Selectmen
Tewksbury Sidewalk Committee

Executive Summary: The purpose of the article is to fund and install sidewalks in various parts of Town. The total cost of the project is \$1,000,000.00 and will take five years at a cost of \$200,000.00 per year.

Motion: The Finance Committee motioned to Adopt Article 5 and borrow \$1,000,000.00.

A motion was made to Move the Question and this motion was Adopted. 8:23 PM (10-1-02)

Voted: Article 5 was Adopted. 8:29 PM (10-1-02)
YES 617 NO 30 (2/3's vote: 432)

ARTICLE 6

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to accomplish the foregoing.

**PROPOSED ACT REGARDING CONSERVATION RESTRICTION
ON LAND AT TEWKSBURY STATE HOSPITAL**

The Commissioner of the Division of Capital Asset Management is hereby authorized and directed, after consultation with the Department of Public Health, in order to preserve certain land located in the Town of Tewksbury, said land by all or a portion of the land described in town of Tewksbury Assessor's Map 90, Lots 1 and 2; Map 77, Lot 16; Map 89, Lot 1; Map 88, Lots 32, 21, and 24; Map 76, Lot 27; and Map 87, Lot 1. Said Land by all or a portion the land described in Town of Tewksbury Assessor's Map 74, Lot 2, further defined as Lot 74-2-1 (19 Acres) in the attached Survey of Land dated October 25, 2000 in its present, natural, scenic and open condition, and to promote and enhance the educational and recreational opportunities for individuals served by the Department of Public Health and of the public in general, to convey a conservation restriction to the Conservation Commission of the Town of Tewksbury, the said conservation restriction to be made in accordance with Sections 31 and 32 of Chapter 184 of the General Laws, and to have such further provisions regarding appropriate land use as the Commissioner of the Division of Capital Asset Management., after consultation with the Department of Public Health, shall deem appropriate,

The consideration to be paid to the Commonwealth by the Town of Tewksbury for the imposition of the conservation restriction shall be the full and fair value of such restriction as determined by independent appraisal. The Inspector General shall review and approve said appraisal, and said review shall include an examination of the methodology used for said appraisal. The Inspector General shall prepare a report of his review and file the report with the commissioner for submission to the House and Senate Committees on Ways and Means and the Chairmen of the Joint Committee on State Administration. The consideration to be paid to the Commonwealth by the Town of Tewksbury for the imposition of the conservation restriction may be, at the discretion of the Commissioner, the Town's written agreement to maintain the said lands and to make them open to the public for appropriate passive recreational purposes, provided that if the Commissioner determines that the consideration should be by such agreement, the Commissioner shall provide a written disclosure to the central register, detailing the reasons for such determination.

Land Use Committee

Executive Summary: The Tewksbury Land Use Committee and Senator Susan Tucker have co-authored legislation to attach a conservation restriction to the deed of over 400 acres of Tewksbury Hospital State Land. The legislation authorizes the creation of a conservation restriction administered by the Tewksbury Conservation Commission. This article will ensure the preservation of open space.

Motion: The Finance Committee motioned to Indefinitely Postpone Article 6 but after hearing discussion on the Article asked the Moderator to Withdraw that motion.

Land Use Committee Chairman, Michelle Walsh, motioned to Amend and Adopt Article 6, as Amended.

Planning Board Chairman, Robert Fowler, informed the Assembly that the Planning Board supports Mrs. Walsh's Motion.

Mr. Robert Kelley motioned to Amend Article 6.

Mr. Greg Peters motioned to Amend Article 6 with two (2) Amendments.

A motion was made to Move the Question and this motion was Adopted.

9:00 PM (10-1-02)

Voted: The Finance Committee's motion to Withdraw the Indefinite Postponement motion was Adopted by the Assembly.

9:00 PM (10-1-02)

Mrs. Walsh's Amendment was Adopted.

9:01 PM (10-1-02)

Mr. Kelley's Amendment was Adopted.

9:01 PM (10-1-02)

Mr. Peter's 1st Amendment Failed.

9:02 PM (10-1-02)

Mr. Peter's 2nd Amendment Failed.

9:03 PM (10-1-02)

Article 6 was Adopted, as Amended.

9:03 PM (10-1-02)

***Mrs. Walsh's Amendment:**

Strike "and further described in a plan of land entitled" and insert the following:

, said land by all or a portion of the land described in town of Tewksbury Assessor's Map 90, Lots 1 and 2; Map 77, Lot 16; Map 89, Lot 1; Map 88, Lots 32, 21, and 24; Map 76, Lot 27; and Map 87, Lot 1,

***Mr. Kelley's Amendment:**

Said Land by all or a portion the land described in Town of Tewksbury Assessor's Map 74, Lot 2, further defined as Lot 74-2-1 (19 Acres) in the attached Survey of Land dated October 25, 2000.

***The above Amendments have been incorporated into Article 6 and are highlighted in bold print.**

ARTICLE 7

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 60, Section 3D which allows the Town to mail with its property tax bills a separate form whereby taxpayers may voluntarily check off, donate, and pledge an amount not less than \$1 which shall increase the amount otherwise due. The amount so pledged shall be used to establish a special account known as the Tewksbury Aid to the Elderly and Disabled Taxation Fund. This fund shall be used exclusively for the purposes of defraying the real estate taxes of elderly and disabled persons of low income.

Walter Maciel and Others

Executive Summary: My intention is to have this Article pass at the Special Town Meeting. A voluntary contribution form would be mailed along with the Real Estate Tax bills. The money shall be deposited into a special account and would be used to defray the real estate taxes of elderly and disabled persons of low income. There shall be a Taxation Committee, which would adopt rules and regulations to carry out the provisions of the Taxation Fund and to identify the recipients of such aid.

Motion: The Finance Committee motioned to Adopt Article 7.

Voted: Article 7 was Adopted.

9:08 PM (10-1-02)

ARTICLE 8

To see if the Town of Tewksbury will vote to authorize the Board of Selectmen to petition the state Legislature to enact an act amending the act establishing a Selectmen Town Manager form of government for the Town of Tewksbury in Annual Town Election. (Chapter 275 of Acts of 1986, 336 1987, 152 1988, 229 1995.

James Mosewick and Others

Executive Summary: Amendment of Town Charter "section5A". This article will allow to vote for the Town Manager

Motion: The Finance Committee motioned to Indefinitely Postpone Article 8.
Mr. Mosewick motioned to Amend Article 8.

A motion was made to Move the Question and this motion was Adopted.

9:19 PM (10-1-02)

Voted: Mr. Mosewick's Amendment Failed.
The Finance Committee's motion for Indefinite Postponement was Adopted.
Article 8 was Indefinitely Postponed.

9:19 PM (10-1-02)

9:20 PM (10-1-02)

ARTICLE 9

To see if the Town will vote to transfer the following sums or take any action relative thereto:

FROM:

\$100,390.00 Interest-Temporary Loans

TO:

\$22,450 Computer Services-Operating
(Software)

\$20,000 Selectmen-Operating
(Professional Services)

\$18,400 Reserve Fund

\$ 2,000 Administrative Services-Operating
(Postage)

| | | | |
|--------------|--------------|-----------------|---------------------------------|
| | | \$ 5,000 | Planning-Salaries |
| | | \$20,000 | Fire & Liability |
| | | \$ 9,240 | Recreation Salaries |
| | | <u>\$ 3,300</u> | Planning – Operating (Software) |
| Total | \$100,390.00 | \$100,390.00 | |
| Town Manager | | | |

Executive Summary: This article is a regular Special Town Meeting article where the Town transfers funds from accounts with a projected surplus to accounts with a projected deficit.

Motion: The Finance Committee motioned to Amend and Adopt Article 9.
Ed Dick, Chairman of the School Committee, informed the Assembly that the School Committee supports the Finance Committee's motion.

Voted: The Finance Committee's Amendment was Adopted. 9:24 PM (10-1-02)
Article 9 was Adopted, as Amended. 9:24 PM (10-1-02)

Finance Committee's Amendment:

Change:
Reserve Fund \$18,400 in the "To" column to School-Capital Outlay \$18,400.

| | | | |
|------------------------|-----------|-----------|-----------------------|
| Add: | | | |
| From: | | To: | |
| Public Works-Salaries | \$36,000 | \$36,000 | Planning-Salaries |
| Group Health Insurance | \$237,000 | \$237,000 | School Dept-Operating |

Change: Total "From" column from \$100,390 to \$373,390

Change: Total "To" column from \$100,390 to \$373,390

ARTICLE 10

To see if the Town will vote to appropriate the sum of \$2,924,000 from available funds (Proceeds from Sale of Real Estate) to offset the payment of short-term debt held by the Town relating to the Water Treatment Plant.

Town Manager

Executive Summary: In June, 2002 the Town received \$2,924,000 from the sale of the Court St land as authorized at the 1997 Annual Town Meeting. The article stated that the "proceeds from the sale of this property shall be deposited into an account to offset the cost of the expansion of the water treatment plant". The expansion was completed in June 2001. This article will allow the Town to use the proceeds from the sale to repay the debt.

Motion: The Finance Committee motioned to Adopt Article 10.

Voted: Article 10 was Adopted. 9:24 PM (10-1-02)

ARTICLE 11

To see if the Town will vote to amend Article 3-23 of the May 2002 Annual Town Meeting by reducing the amount of free cash voted from \$2,236,349 to \$2,206,284.

Town Manager

Executive Summary: This article reduces the amount of free cash voted at the May, 2002 Annual Town Meeting to the amount actually available.

Motion: The Finance Committee motioned to Adopt Article 11.

ARTICLE 12

To see if the Town will vote to raise and appropriate the sum of \$7,031.63 to pay outstanding bills of previous years or take any related action.

| | | |
|------------------------|---------------------------|-------------|
| Police Operating | Verizon | \$ 450.00 |
| | Cingular | \$ 15.46 |
| Town Hall-Operating | Verizon | \$ 1,706.63 |
| | Nextel Communications | \$ 380.98 |
| | The Home Depot | \$ 39.20 |
| School-Operating | Tina Blythe | \$ 1,750.00 |
| | Follett Library Resources | \$ 1,072.56 |
| Public Works-Operating | Massachusetts Electric | \$ 1,492.80 |
| Recreation-Operating | The Home Depot | \$ 124.00 |

Town Manager

Executive Summary: According to Massachusetts General Law bills that are late or lacked available funds from prior fiscal years must be approved by Town Meeting before payment.

Motion: The Finance Committee motioned to Amend and Adopt Article 12, as Amended.

Voted: The Finance Committee's Amendment was Adopted.
Article 12 was Adopted, as Amended.
235 YES -0- NO Unanimous Vote

9:26 PM (10-1-02)

9:28 PM (10-1-02)

The Moderator conducted a 9/10's vote because some of the outstanding bills required this particular percentage vote.

Finance Committee's Amendment:

Change: Raise and appropriate from \$7,031.63 to \$7,754.98

Add:

Public Works-Operating Lowell Sewer \$723.35

ARTICLE 13

To see if the Town will vote to authorize the Town Manager to grant an easement to Massachusetts Electric Company for the purpose of installing, constructing, reconstructing, repairing, replacing, adding to, maintaining and operating for the transmission of high and low voltage electric current and for the transmission of intelligence, lines consisting of, but not limited to, eleven (11) poles, (which may be erected at different times) with wires and cables strung upon and from the same and all necessary anchors, guys, and appurtenances for overhead system and underground electric distribution service to the John Wynn Middle School, 1 Griffin Way, Tewksbury, MA. Said easement may be viewed in the Office of the Town Clerk, Town Hall.

Or take any other action relative thereto

Town Manager

Executive Summary: This article grants an easement to the Massachusetts Electric Company to serve the John W. Wynn Middle School, 1 Griffin Way, Tewksbury, MA.

Motion: The Finance Committee motioned to Adopt Article 13.

Voted: Article 13 was Adopted.

9:28 PM (10-1-02)

ARTICLE 14

To see if the town will vote to add the following part-time positions to the Personnel By-Laws wage schedule with a rate of pay to be \$9.84 per hour:

Volunteer Coordinator
Activities Coordinator

Council on Aging

Executive Summary: To establish job titles and descriptions for placement under the Council on Aging Department with positions to be funded through a State COA Formula Grant award.

Motion: The Finance Committee motioned to Amend and Adopt Article 14.

Voted: The Finance Committee's Amendment was Adopted.
Article 14 was Adopted, as Amended.

9:29 PM (10-1-02)

9:29 PM (10-1-02)

Finance Committee's Amendment:

Change: "\$9.84 per hour" to: "\$12.00 per hour contingent upon the grant monies being available.

ARTICLE 15

To see if the Town will vote to appropriate from available funds the following amounts and transfer such funds into the public library's budget for FY 2003:

| <u>Amount</u> | <u>Transfer from:</u> | <u>Transfer to:</u> |
|---------------|---|---------------------|
| \$4,000 | Bob Jones Nature Fund | Library Materials |
| \$5,875 | Mass. Electric Energy Conservation grants | Library Utilities |
| | Board of Library Trustees | |

Executive Summary: This year the Town received approximately \$40,000 in state aid to public libraries after complying with certain budgetary formulas and regulations promulgated by the Massachusetts Board of Library Commissioners. The appropriation voted at the Annual Town Meeting in May 2002 did not meet the library budget's required levels for compliance. The above transfers from existing library gifts and grants will make the Town eligible to apply for next year's state aid.

Motion: The Finance Committee motioned to Adopt Article 15.
Article 15 was Adopted.

9:30 PM (10-1-02)

ARTICLE 16

To see if the town will vote to raise and appropriate the sum of \$361,717.00 to the following accounts or take any related action.

\$266,000.00 School Department
\$ 95,717.00 Stabilization Fund

Town Manager

Executive Summary: The purpose of this article is to appropriate the remaining funds the town has to spend as part of its FY2003 budget.

Motion: The Finance Committee motioned to Amend and Adopt Article 16, as Amended.
Ed Dick, School Committee Chairman, informed the Assembly that the School Committee supports the Finance Committee's motion.

Voted: The Finance Committee's Amendment was Adopted.
Article 16 was Adopted, as Amended.

9:30 PM (10-1-02)

9:30 PM (10-1-02)

Finance Committee's Amendment:

Change: "Raise and appropriate sum of" from \$361,717 to \$370,325
Increase \$266,000 School Department to \$370,325 School Department
Delete: \$ 95,717 Stabilization Fund

ARTICLE 17

To see if the Town will vote to amend Article 4 of the May, 2002 Annual Town Meeting by raising and appropriating the additional sum of \$99,448 to be added to the previously voted School Department appropriation, or take any related action.

School Committee

Executive Summary: The purpose of this article is to appropriate \$99,448 to be used to fund \$60,000 in salaries for health related instructional positions and \$39,448 in salaries for 2 matron positions.

Motion: School Committee Chairman Ed Dick motioned to Withdraw Article 17 and this motion was Adopted.

9:31 PM (10-1-02)

Article 17 was Withdrawn.

ARTICLE 18

To see if the Town will vote to raise and appropriate by borrowing or transfers from available funds the sum of \$140,000. Said funds will be used by the School Committee for the installation of local area networking (LAN), including costs incidental and related thereto, in the North Street, Trahan, Dewing, Ella Flemings and Heath Brook School.

School Committee

Executive Summary: The installation of the LANS satisfies a Department of Education requirement that in year 2003 all classrooms have internet access. The installation of the LANS also supports the integration of technology into the curriculum and facilitates the distribution of our student data management application to the classroom teacher, e.g., attendance, report cards, progress reports, etc.

Motion: School Committee Chairman, Ed Dick, motioned to Withdraw Article 18 and this motion was Adopted.

9:32 PM (10-1-02)

Article 18 was Withdrawn.

ARTICLE 19

To see if the Town will vote to authorize the Town Manager to acquire any fee, easement or other interest in land as shown on a plan entitled "Easement Plan of Land in Tewksbury" prepared by Cuoco & Cormier Engineering Associates, Inc. for the Town of Tewksbury dated September 19, 2002, necessary therefor, whether by eminent domain, purchase, gift or otherwise or take any other action relative thereto. Said plan on file in the Office of the Town Clerk, Town Hall.

Or take any other action relative thereto.

Town Manager

Executive Summary: The purpose of this article is to acquire the rights to construct a sanitary sewer line across private property known as Map 38 Lot 23 to construct a sewer line to serve Green Meadow Drive residents.

Motion: The Finance Committee motioned to Adopt Article 19.

Mrs. Leann D'Entremont motioned to Indefinitely Postpone Article 19.

***Town Manager, David Cressman, informed the Moderator that the Executive Summary should include Lots 21, 22, 23 and the Moderator accepted this information to be included in the Executive Summary.**

A motion was made to Move the Question and this motion was Adopted.

9:50 PM (10-1-02)

Voted: Mrs. D'Entremont's motion for Indefinite Postponement Failed.
Article 19 was Adopted.
YES 196 NO 97 (2/3's vote = 196)

9:50 PM (10-1-02)
9:55 PM (10-1-02)

ARTICLE 20

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact a special act to allow the Town of Tewksbury to establish an Affordable Housing Trust Fund as follows:

An act authorizing the Town of Tewksbury to establish an Affordable Housing Trust Fund

The Town of Tewksbury may establish a separate fund to be known as the Affordable Housing Trust Fund for the purpose of creating or preserving affordable housing by the Town of Tewksbury, the Tewksbury Housing Authority or a housing trust, community development corporation or similar entity created under the laws of the commonwealth for the purpose of creating, maintaining or operating affordable housing.

All expenditures from the fund shall be used for low or moderate income housing as defined in Section 20 of Chapter 40B of the General Laws. The funds may specifically be used to:

- (a) purchase and improve land;
- (b) purchase dwelling units;
- (c) develop new or rehabilitate existing dwelling units for purchase or rental by low and moderate income housing purchasers or tenants; and
- (d) preserve existing subsidized housing inventory as maintained by the Department of Housing and Community Development pursuant to said Chapter 40B.

Expenditures shall follow an allocation plan submitted by the Board of Selectmen annually to town meeting at the annual town meeting, and approved by town meeting. The allocation plan may be amended by town meeting at any special town meeting. The Board of Selectmen may request the advice of the Tewksbury Housing Authority, the Planning Board and others in developing any allocation plan. The allocation plan shall be a general plan of how funds from the fund will be expended over the next fiscal year, and a report on how funds were spent during the previous fiscal year.

All expenditures from the fund, including funds for capital purchases of land or buildings, shall be in accordance with the application plan and approved by a majority vote of the membership of the Board of Selectmen.

The fund may also be the repository of any allocation for affordable housing purposes made under Chapter 44B of the General Laws, if the town votes to accept section 3 to 7, inclusive of said Chapter 44B.

The town treasurer shall be the custodian of the fund and shall invest the funds in the manner authorized by sections 55, 55A and 55B of Chapter 44 of the General Laws. Any income or proceeds received from the investment of funds shall be credited to and become part of the fund.

Or take any other action relative thereto.

Town Manager

Executive Summary: The Town of Tewksbury has recently approved two comprehensive permits that require any excess profit to be turned over to the Town. By having an established trust fund, the Town will have a dedicated depository for these funds as well as a source for any affordable housing initiatives the Town deems worthy of undertaking.

Motion: Town Manager, David Cressman, motioned to Adopt Article 20.

Voted: Article 20 was Adopted.

9:56 PM (10-1-02)

ARTICLE 21

To see if the Town will vote to amend the Personnel By Laws, Section III(e) Salaries and Wages by adding the following new position and wage schedule to be effective July 1, 2002.

Town Engineer

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|----------|----------|----------|----------|----------|----------|
| \$40,881 | \$43,332 | \$45,933 | \$48,689 | \$51,608 | \$54,705 |

Or take any other action relative thereto.

Town Manager

Executive Summary: This article changes the title of the Senior Engineer position to Town Engineer and revises the qualifications and duties of the position but does not change the salary scale.

Motion: The Finance Committee motioned to Adopt Article 21.

Voted: Article 21 was Adopted.

9:57 PM (10-1-02)

ARTICLE 22

To see if the Town will vote to amend the Zoning Bylaw by adding a new section:

6300. WIRELESS COMMUNICATIONS FACILITIES

6301. Purpose. The purpose of this Section 6300 is to provide for a special permitting process for the siting of wireless communications facilities while minimizing adverse visual impacts on adjacent properties, residential neighborhoods, and vistas and areas of high scenic value; to limit the overall number and height of such facilities to what is essential to serve the public convenience and necessity; and to promote shared use of facilities to reduce the need for new facilities.

6302. Applicability. This Section 6300 shall apply only to transmission facilities for the purpose of personal wireless communications services. Nothing in this Section shall be construed to regulate or prohibit amateur radio towers used solely by a federally licensed amateur radio operator or wireless communications structures and devices used expressly and exclusively for television reception. Nothing in this Section 6300 shall be construed to regulate or prohibit a wireless communication facility on the basis of environmental effects of radio frequency radiation (RFR) emissions.

6304. Severability. If any section or subsection of this Section 6300 is ruled invalid, such ruling will not affect the validity of the remainder of the Section.

6305. Special Permit Granting Authority. The special permit granting authority under this Section 6300 shall be the Planning Board.

6310. General Guidelines.

6311. No wireless communications facility shall be erected, constructed or installed without a special permit from the Planning Board and except in compliance with the provisions of this Section 6300.

6312. Wireless communications facilities may be allowed only in Municipal and Heavy Industrial zoning districts, subject to the grant of a special permit by the Planning Board, and provided that they comply with the requirements set forth in this Section 6300.

6313. Wireless communications devices are allowed only on nonresidential structures, excluding hotels and motels.

6314. Wherever feasible, wireless communications devices shall be located on existing towers, on existing nonresidential structures or within stealth facilities, in order to minimize the proliferation of new towers.

6315. Wireless communications facilities may be located on the same lot as other structures or uses lawfully in existence.

6320. Definitions. The following definitions are exclusive to this Section 6300.

Adequate Coverage shall mean the geographic area in which the carrier provides a level of service defined as a range of 70-100% coverage over 70-100% of the Town.

Distance shall be measured on a horizontal plane.

FAA means the Federal Aviation Administration.

FCC means the Federal Communications Commission.

Height shall be the distance measured from the mean finished ground level at the base to the highest point on the structure.

Nonresidential Structure means a building, water tower or other similar structure, but not including a house, apartment or any building used for human habitation, excluding hotels and motels.

Stealth Facility means any newly constructed, reconstructed or installed building, building feature or structure designed for the purpose of concealing or camouflaging wireless communications buildings, devices, facilities and/or towers.

Telecommunications Carrier means a commercial telecommunications carrier licensed by the FCC to provide telecommunications services.

Wireless Communications Building means a building or structure used to house mechanical and/or electrical equipment as an accessory to a wireless communications facility used by a telecommunications carrier to provide telecommunications services.

Wireless Communications Device means any antenna, dish, appurtenance, wiring or equipment used by a telecommunications carrier to provide telecommunications services. This term does not include towers.

Wireless Communications Facility means any and all materials, equipment, buildings, towers, devices and structures, including stealth facilities, used by a telecommunications carrier to provide telecommunications services.

Tower means any equipment mounting structure used primarily to support transmission and reception equipment and wireless communications devices and that measures twelve (12) feet or more in height and is used by a telecommunications carrier to provide telecommunications services.

6330. Siting and Height Requirements.

6331. General Requirements for All Wireless Communications Facilities.

- a. The setbacks for the wireless communications buildings shall comply with the setback requirements for the zoning district.
- b. Stealth facilities must meet all dimensional restrictions for buildings and structures as required in the applicable sections of the Town of Tewksbury Zoning Bylaws, unless the Planning Board finds that the visual and aesthetic impacts on the neighborhood would not be more detrimental than alternative proposals.
- c. Wireless communications devices located on an existing structure shall not exceed ten (10) feet in height above the roofline of the structure and the total height of the existing structure and the device may not exceed sixty (60) feet unless the Planning Board finds that a greater height is essential to the proper functioning of the wireless communication services to be provided by the applicant at such location. For structures where it is difficult to determine the roofline, such as water tanks, the height of the communications devices shall not exceed ten (10) feet above the highest point of the structure.
- d. Clustering of several wireless communications facilities on an individual lot may be allowed if the Planning Board finds that the visual and aesthetic impact on surrounding residential neighborhoods or dwellings would not be significantly more detrimental than having only a single wireless communications facility.
- e. Wireless Communication Facilities and Services are dependent upon multiple sitings to complete a network. Therefore the application process requires the identification of all projected network sites, so the Town can evaluate the application within the contents of the entire network. Each carrier shall provide a geographic coverage map showing existing WCFs in the Town and those outside the Town within one mile of its corporate limits whether or not it has a legal or equitable interest, whether by ownership, leasehold or otherwise. Said documentation shall demonstrate that these facility sites do not already provide, nor have the potential to provide by site adjustment, adequate coverage. The carrier shall present a description of the site's capacity, the number and type of panels, antenna, and or transmitter, receivers it can accommodate and estimates of the cumulative emissions that will be generated on the site including but not limited to RFR.
- f. The applicant shall provide written documentation that the proposed facility uses the least disruptive technology available, at the time of application, by which it can provide adequate coverage in conjunction with all facility sites proposed and existing.

6332. Requirements for Towers.

- a. The minimum distance from the base of a tower, including towers within stealth facilities to any property line, road, right-of-way, power line easement, railroad right-of-way or building used by people shall be at least 1.5 times the height of the tower to ensure an adequate fall zone.
- b. A tower shall be setback a minimum distance of five hundred (500) feet from abutting and neighboring residential dwellings, proposed dwellings in an already permitted subdivision, and schools, except that this distance may be reduced for towers within stealth facilities if the Planning Board finds that reduction in the setback distance would not be more detrimental (visually and aesthetically) to the neighborhood than alternative proposals, but in no event shall the setback minimum distance be less than two hundred fifty (250) feet.

c. It is presumed that the maximum allowed height of a tower is sixty (60) feet unless the applicant demonstrates that a greater height is required to allow for provision of the wireless communications services or unless the Planning Board finds that co-location on said tower is both practical and preferable, but in no event shall the height be greater than one-hundred thirty five (135) feet.

d. No new towers shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Planning Board that no existing nonresidential structure or tower can accommodate the applicant's proposed wireless communications device; said demonstration may include the following:

i. No existing tower or nonresidential structures are located within the geographic area required to meet the applicant's engineering and height requirements.

ii. Existing towers or non-residential structures do not have sufficient structural strength or cannot be brought up to appropriate strength to support the proposed wireless communications device.

iii. The fee, costs or contractual provisions required by the owner in order to share an existing wireless communication structure or to adapt an existing structure for use are unreasonable. Unreasonable shall be defined as exceeding the cost of building a new structure.

iv. The applicant demonstrates that there are other limiting factors that render existing structures unreasonable or not feasible.

6340. Design Requirements.

6341. Towers must be of the monopole type. No tower shall be placed or constructed that uses a lattice-type construction or guy wire supports.

6342.

a. Wherever feasible and appropriate, wireless communications devices and towers shall be enclosed in stealth facilities.

b. All wireless communications devices and towers which are not fully enclosed in stealth facilities shall be colored, molded and/or installed to blend into the supporting structure and/or the landscape.

c. All building mounted wireless communications devices shall be designed and located so as to appear to be an integral part of the existing architecture of the building and shall be of colors that match and/or blend with those of the building.

d. All wireless communications buildings shall be designed to match other accessory buildings on the site and shall be used only for the housing of equipment related to the particular site.

e. All wireless communications devices and towers shall be constructed of non-reflective materials.

f. All wireless communications devices shall be situated on or attached to a structure in such a manner that they are screened, preferably not being visible from abutting streets and residences.

g. All network interconnections shall be via underground land lines.

6343. The wireless communications facility shall be fenced to control access. Fencing shall be compatible with and of similar materials and character of surrounding buildings, structures and neighborhood.

6344. There shall be no signs or advertisements at any wireless communications facility, except for no trespassing signs and a required sign giving a phone number where the responsible party can be reached on a 24-hour basis.

6345. No wireless communications facility shall be constructed to a height that requires aircraft lighting or special painting to enhance visibility. No tower shall be artificially lighted.

6346. There shall be a maximum of one parking space for each tower to be used in connection with maintenance of the site and not to be used for the storage of vehicle or other equipment.

6347. The access road and parking area surface shall be constructed in accordance with industry standards to the satisfaction of the Planning Board.

6348. Existing on site vegetation shall be preserved to the maximum extent possible. Vegetative screening shall be used to screen abutting residential properties and roadways. Plants that fit in with the surrounding natural vegetation shall be used.

6349. The wireless communications facility shall not generate noise in excess of thirty-five (35) dB measured at the property line.

6350. Application Process. Applications for a special permit for siting wireless communications facilities shall be filed in accordance with the following:

6351. To site a new tower or a tower within a stealth facility, the applicant shall submit:

- a.** Site plans and engineering plans, prepared by a professional engineer licensed to practice in Massachusetts, on 24" by 36" sheets at a scale of 1"=40' or 1"=200' where appropriate on as many sheets as necessary which shows the following:
 - i.** North arrow, date, scale, seal(s) of the licensed professional(s) who prepared plans and space for reviewing licensed engineer's seal.
 - ii.** Name and address of landowner and name and address of abutters.
 - iii.** Property lines and location of permanent structures or buildings, within five hundred foot (500') radius of proposed tower and/or facility.
 - iv.** Existing (from a topographical survey completed within two (2) years of application submittal date by a professional surveyor licensed to practice in Massachusetts) and proposed contour lines at a maximum of two-foot (2') intervals and spot elevations at base of all the proposed and existing structures.
 - v.** Vegetation to be removed or altered.
 - vi.** Plans for drainage of surface water and plans to control erosion and sedimentation both during construction and as a permanent measure.
 - vii.** Delineation of wetlands, if any.
 - viii.** Location of tower or facility or both, including supports, if any.
 - ix.** Plans for anchoring, attaching and supporting the structure and devices, including specifications of hardware and all other building material.
 - x.** Plans for accessory buildings.
 - xi.** Layout and details or surfacing for access road and parking.
 - xii.** Amenities such as lighting, fencing and landscaping.
 - xiii.** Eight (8) view lines in a one to three mile radius of the site, beginning at true north and continuing clockwise at forty-five (45) degree intervals, plus additional view lines from any historic, scenic or other prominent areas of Town determined by the Planning Board. View lines shall, to the extent feasible, be taken from existing vantage points commonly used by the public, such as public ways, buildings or facilities. The submittal shall include unaltered photographs taken from eye level, five (5) feet above grade, which show the existing condition of these view lines, as well as accurate scale perspective elevation drawings, computer-altered photographs or other accurate representations showing view lines with the facility in place.
- b.** A map showing the areas covered or served by the proposed wireless communication structure and device of different signal strengths and the interface with adjacent service areas.
- c.** A locus map at a scale 1"=1000' (or whatever is necessary to show where in the proposed tower is sited), which shall show street and landscape features.
- d.** A narrative report written by the carrier and licensed professional engineer which shall:
 - i.** Describe the justification and need of proposed site demonstrating a significant gap in coverage.
 - ii.** Include a draft of the contract between the structure/building owner and the applicant, if appropriate.
 - iii.** Describe the structure and the technical, economic and other reasons for the facility design.
 - iv.** Describe the capacity of the structure, including the number and type of additional facilities it can accommodate.
 - v.** Demonstrate that the tower or non-residential structure to which the device will be mounted has the structural integrity to support such device.
 - vi.** Describe actions to be taken if electromagnetic radiation from the facility should exceed levels designated by the FCC.
 - vii.** Describe the projected future needs of the carrier, and how the proposed wireless communications facility fit with future projections to serve the town and adjacent towns.
 - viii.** Describe leasing agreement should another carrier desire to co-locate.
 - ix.** Describe special design features to minimize the visual impact of the proposed wireless communications facility.

x. State whether a stealth communications facility is proposed and if not the reason why such a facility is not feasible or appropriate.

e. List of all other approvals and all other necessary permits needed for construction and operation.

f. After the application is submitted, and not more than fourteen (14) days before the public hearing, the applicant shall arrange to fly a two-foot (2') diameter balloon at the site of the proposed wireless communication structure at the maximum height of the proposed installation. The date and location of the flight shall be advertised at least fourteen (14) days, but not more than twenty-one (21) days before the flights, in a newspaper with general circulation in the Town.

6352. To site a wireless communications device on an existing tower or nonresidential structure or within a stealth facility, the applicant shall be required to comply with Sections 6351 herein above, except that the Planning Board may waive some of said requirements if it finds that they are unnecessary or not applicable.

6353. The above information shall be submitted along with the regular application form to the following: one (1) copy to the Board of Selectmen, one (1) copy to the Town Manager, one (1) copy to the Building Commissioner, one (1) copy to the Fire Chief, one (1) copy to the Chief of Police, one (1) copy to the Board of Health, one (1) copy to the Conservation Commission, and nine (9) copies to the Planning Board.

6360. Approval.

6361. The Planning Board may grant a special permit for a wireless communications facility only upon making the findings required by M.G.L. c. 40A, s. 9 and the following:

- a. That the applicant has demonstrated to the satisfaction of the Planning Board that the requirements of this Section 6300 have been met.
- b. That the size and height of the structure are the minimum necessary.
- c. That adverse impact on adjacent properties, residential neighborhoods, historic structures or scenic views is minimized to the extent possible.
- d. That there will be no nuisance or serious hazard associated with the use.
- e. That there are no feasible and preferable alternatives to the location, including co-location.

6362. As a condition of the special permit for a tower or a stealth facility, the Planning Board may require that the structure be designed and built so that it is able to accommodate wireless communications devices operated by another carrier with little or no modification.

6363. As a condition of the special permit for a wireless communications facility, the Planning Board may require that the owner and operator of land, used in whole or in part for a wireless communications facility, and or the owner and operator of such wireless communications facility, permit other telecommunications carriers seeking to operate a wireless communications facility, to install, erect, mount and use compatible wireless communications devices on or at the existing wireless communications facility, on commercially reasonable terms, provided that such colocation does not materially interfere with the transmission or reception of communications signals to or from the existing facility, and provided that there are no structural or other physical limitations that make it impractical to accommodate the proposed additional wireless communications device.

6364. Any expansion or extension of wireless communications facilities or construction of new or replacement towers or facilities shall require an amendment to the special permit.

6365. Any special permit granted under this section shall automatically lapse within one (1) year of the date of the grant, not including the time required to pursue or await the termination of an appeal, if construction is not complete and substantial use has not commenced, except for good cause.

6370. Conditions of Use.

6371. The applicant shall be required to maintain and keep in good repair all facilities, devices and towers.

6372. The applicant shall post an initial bond to cover construction costs and a separate bond to cover the removal of the facility in the event of non-operation (see Section 6375b herein below). The amount of the surety shall be subject to the approval of an engineer, architect or other qualified professional registered to practice in the Commonwealth of Massachusetts hired by the Town.

6373. Regulatory Compliance.

- a. Certification, by an independent test consultant, stipulating that the wireless communications facility is in compliance with the FCC, shall be conducted within ten (10) days of completion of construction of the facility and filed with the Building Commissioner.
- b. If the FCC or the FAA regulations are changed, the owner or operator shall bring the facilities into compliance within six (6) months or earlier if a more stringent compliance schedule is included in the regulation.
- c. Failure to comply with any regulations shall be grounds for removal of non-complying structures, buildings and devices at the owner's expense.

6374. Removal and Repair.

- a. An applicant must execute a covenant with the Planning Board agreeing to remove within ninety (90) days of notice from the Planning Board, the wireless communications facility not in operation for a period of six (6) months, unless the reason for non-operation is the result of major damage.
- b. If the facility is not removed within ninety (90) days, the Town will remove the facility at the owner's expense. The bond required in accordance with Section 6371 shall cover the cost of the removal and may be used for this purpose. In the event the amount of surety is insufficient to cover the costs of removal, the Town may place a lien upon the property to cover the difference in cost.
- c. In the event of major damage, repair must begin within six (6) months of damage. Major damage shall mean damage to the facility caused by no fault of the owner or operator.
- d. If the wireless communications device is moved lower on the structure and the top of the structure is no longer needed, then the non-operational part of the structure shall be removed with one hundred twenty (120) days.

6380. Fees for Outside Consultants. In addition to the special permit filing fees, the applicant shall pay reasonable fees and costs of retaining outside professional consultant services, including but not limited to professional review of the applicant's proposal by a professional or radio frequency engineer, attorney or other qualified professional, if such services are deemed necessary by the Planning Board, in accordance with M.G. L. c. 44, s.53G.

6390. Annual Operating Permit. Any wireless communication facility installed in compliance with this Section 6300 shall require an annual operating permit from the Building Commissioner ("Permit"). No wireless communication facility shall be constructed, operated, altered, repaired or maintained except in exact conformance with such Permit.

6391. Application. All applications shall be made to the Building Commissioner in such form as he may require, and such applications shall include:

- a. the location, by street number, of the proposed wireless communication facility;
- b. the name and address of the wireless communication facility operator in charge and the owner of the lot where the facility is to be located;
- c. a scale drawing showing the proposed construction, method of installation or support, colors, display, dimensions, location of the wireless service facility on the site, and illumination, if any;
- d. such other pertinent information as the Building Commissioner may require to ensure compliance with the Bylaw and any other applicable law;
- e. a copy of the Special Permit, as amended, granted by the Planning Board under this Section 6300; and
- f. the signature of the owner.

The Building Commissioner shall have the authority to reject any Permit application which is not complete when submitted.

6392. Annual certification demonstrating compliance with current standards of the FCC, FAA, Massachusetts Department of Public Health and the American National Standards Institute shall be filed with the building Commissioner by the special permit holder, and shall be reviewed by a licensed professional engineer hired by the Town.

Planning Board

Executive Summary: This section is to provide fair and adequate safeguards for the public with respect to wireless communication facilities.

Motion: The Planning Board motioned to Withdraw Article 22 and this motion was Adopted.

Voted: Article 22 was Withdrawn.

9:59 PM (10-1-02)

ARTICLE 23

To see if the Town of Tewksbury will vote to amend the town's Zoning Bylaws by adding the following sections:

7010. Affordable Housing Requirement

7011. Purpose and Intent:

The purpose of this bylaw is to outline and implement a set of policies and objectives for the development of affordable housing in compliance with G.L. c. 40B sect. 20-24 and various initiative programs developed by state, county and local government. It is intended that the Affordable Housing Units that result from this bylaw be considered as Local Initiative Units in compliance with the requirements for the same as specified by the Department of Housing and Community Development.

7012. Applicability:

Multiple Unit Development: A special permit from the special permit granting authority (SPGA) shall be required when the construction of dwelling units is requested, whether on one or more contiguous parcels, within a Multiple Family District or a Multiple Family District/55. The total number of dwelling units within the proposed development shall be counted and are subject to the provisions of Section 7014, below. The SPGA shall deny a special permit application if, in the opinion of the SPGA, the land or parcels of land, held in common ownership, were subdivided or otherwise modified resulting in a reduction of the potential number of Affordable Housing Units.

7013. Definitions:

- a. Affordable Housing Unit. A Dwelling Unit available at a purchase cost of no more than 30% of gross household income of households at or below 80% of the Middlesex County median income as reported by the U.S. Department of Housing and Urban Development, including units listed under G.L. c.40B s. 20-24 and the Commonwealth's Local Initiative Program.
- b. Qualified Affordable Housing Unit purchaser or tenant. An individual or family with household incomes that do not exceed 80% of the median income, with adjustments for household size, as reported by the United States Department of Housing and Urban Development (HUD) and the Commonwealth's Local Initiative Program.
- c. Affordable Housing Trust Fund. An account established by the Town for the specific purpose of creating Affordable Housing Units, available for use by the Local Housing Partnership for the purchase of land or units, or the development of new or rehabilitation of existing dwelling units for affordable housing occupants. (Annual Town Meeting, May 6, 2002 Art 3-28.)

7014. Provisions:

- a. An application for a Multiple Unit Development special permit shall require that at least fifteen (15) percent of the total Dwelling Units in the Multiple Unit Development be established as Affordable Housing Units (7013a): The calculation of the number of designated affordable units shall be rounded to the next whole number for units equal to 0.5 or greater.
- b. The SPGA may waive the construction or provision for Affordable Housing Units for an equivalent fee-in-lieu-of units payment made to the Town of Tewksbury for disbursement to the Affordable Housing Trust Fund, subject to the provisions and policies of the Tewksbury Local Housing Partnership for the creation of Affordable Housing Units (7013a) in the Town of Tewksbury.
- c. Timing of construction, provision or payments of fees-in-lieu of affordable units. Where feasible, Affordable Housing Units shall be provided coincident to the development of market-rate units, but in no event shall the development of affordable units be delayed beyond the schedule noted below.

| Market-rate Unit % | Affordable Housing Unit % |
|---------------------------|----------------------------------|
| Up to 30% | None required |
| 30% plus 1 unit | At least 10% |
| Up to 50% | At least 30% |
| Up to 75% | At least 50% |
| 75% plus 1 unit | At least 70% |

Up to 90%

100%

Fractions of units shall not be counted.

d. Siting of Affordable Housing Units.

All affordable units constructed or rehabilitated under this bylaw shall be situated within the development so as not to be in less desirable locations than market-rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units. Affordable Housing Units within market rate developments shall be integrated with the rest of the development and shall be compatible in design, appearance, construction and quality of materials with other units. Interior features of affordable units shall comply in all respects to the minimum design and construction standards set forth in the Local Initiative Guidelines by the Department of Housing and Community Development, July 1996, or as amended.

e. Marketing Plan for Affordable Units.

The Applicant under this bylaw, in conjunction with the Tewksbury Local Housing Partnership, shall submit a marketing plan to the SPGA for its approval, which describes how the affordable units will be marketed to potential homebuyers or tenants. This plan shall give priority to Tewksbury residents and include a description of the lottery or other process to be used for selecting buyers or tenants.

f. Maximum Incomes and Selling Prices: Initial Sale:

To ensure that only eligible households purchase or rent Affordable Housing Units, the purchaser or renter of an affordable unit shall be required to submit copies of the last three years' federal and state income tax returns and certify, in writing and prior to transfer of title, to the developer of the housing units or their agent, and within thirty (30) days following transfer of title, to the Tewksbury Housing Authority or other agency as established by the Town, that his/her or their family's annual income level does not exceed the maximum level as established by the Commonwealth's Department of Housing and Community Development.

The maximum housing cost for affordable units created under this bylaw is as established by the Commonwealth's Department of Housing and Community Development, Local Initiative Program or as revised by the Town.

g. Preservation of Affordability; Restrictions on Resale:

Each Affordable Housing Unit created in accordance with this bylaw shall have limitations governing its resale. The purpose of these limitations is to preserve the long-term affordability of the unit and to ensure its continued availability for affordable income households. The resale controls shall be established through a deed restriction on the property and shall be in force in perpetuity.

1. Resale price. Sales beyond the initial sale to a qualified affordable income purchaser shall include the initial discount rate between the sale price and the unit's appraised value at the time of resale. This percentage shall be recorded as part of the deed restriction on the property noted above. For example, if a unit appraised for \$100,000 is sold for \$75,000 as a result of this bylaw, it has sold for 75 percent of its appraised value. If, several years later, the appraised value of the unit at the time of proposed resale is \$150,000, the unit may be sold for no more than \$112,500--75 percent of the appraised value of \$150,000.

2. Right of first refusal to purchase. The purchaser of an Affordable Housing Unit developed as a result of this bylaw shall agree to execute a deed rider prepared by the Town, consistent with model riders prepared by Department of Housing and Community Development, granting, among other things, the municipality's right of first refusal to purchase the property in the event that a subsequent qualified purchaser cannot be located.

3. The SPGA shall require, as a condition for special permit under this bylaw, that the applicant comply with the mandatory set-asides and accompanying restrictions on affordability, including the execution of the deed rider noted in Section 7014g.1. The Building Commissioner shall not issue an occupancy permit for any affordable unit until the deed restriction is recorded.

h. Conflict with Other Bylaws/Ordinances:

The provisions of this bylaw shall be considered supplemental to existing zoning bylaws. To the extent that a conflict exists between this bylaw and others, the more restrictive bylaw, or provisions therein, shall apply.

i. Review by Special Permit Granting Authority (SPGA):

The Planning Board shall be designated as the SPGA under this bylaw.

7015. Severability:

If any provision of this bylaw is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this bylaw shall not affect the validity of the remainder of the Tewksbury zoning bylaw.

Delete:

7154. There shall not be more than a maximum of six (6) units per acre nor more than 2 bedrooms per unit, nor more than twelve (12) bedrooms per acre.

Add:

7154. There shall not be more than a maximum of seven (7) units per acre nor more than fourteen (14) bedrooms per acre. This will allow for flexibility in the number of bedrooms per unit to vary from 1 to 3 bedrooms. The ratio of three (3) bedroom market rate units to three (3) bedroom Affordable Housing Units shall be 1 to 1.

Delete:

7254. There shall not be more than a maximum of six (6) units per acre nor more than 2 bedrooms per unit, nor more than twelve bedrooms per acre.

Add:

7254. There shall not be more than a maximum of seven (7) units per acre nor more than fourteen (14) bedrooms per acre. This will allow for flexibility in the number of bedrooms per unit to vary from 1 to 3 bedrooms. The ratio of three (3) bedroom market rate units to three (3) bedroom Affordable Housing Units shall be 1 to 1.

Planning Board

Executive Summary: The adoption of this bylaw will create a mandatory affordable housing requirement in multi-family districts, subject to existing provisions in the Tewksbury Zoning Bylaw, while providing the option of an increase in density of one unit per acre, thereby qualifying for inclusion on the Town's MGL Ch. 40B inventory.

Motion: The Planning Board motioned to Adopt Article 23.

Mrs. Michelle Walsh, Local Housing Partnership Chairman, supported this motion.

Mr. Keith Rauseo motioned to Amend Article 23 with four (4) Amendments and Adopt Article 23, as Amended.

| | | |
|---------------|--|--------------------|
| Voted: | Mr. Rauseo's 1 st Amendment Failed. | 10:12 PM (10-1-02) |
| | Mr. Rauseo's 2 nd Amendment Failed. | 10:12 PM (10-1-02) |
| | Mr. Rauseo's 3 rd Amendment Failed | 10:17 PM (10-1-02) |
| | Mr. Rauseo's 4 th Amendment Failed. | 10:17 PM (10-1-02) |
| | Article 23 was Adopted. | 10:24 PM (10-1-02) |
| | 223 YES 21 NO (2/3's required: = 163) | |

ARTICLE 24

To see if the Town will vote to amend the Tewksbury Zoning By-Laws, by amending the existing Section 3513 as follows:

Delete existing section:

3513. A satellite dish for reception of microwave signals from geostationary satellites is allowed subject to the following regulations:

- The satellite dish shall consist of a parabolic reflector (microwave dish) with a microwave receiver at the reflector focus. Satellite dishes are permitted in any district provided that such dish shall not exceed two feet in diameter. In districts other than the R40 and R80, a satellite dish larger than two feet in diameter may be authorized by special permit from the Board of Appeals.
- The satellite dish shall be permanently mounted on the ground on a concrete slab or piers and set back from lot lines as an accessory structure in conformance with this By-Law;
- The manufacturer or a structural engineer shall certify to the Building Department that the satellite dish and its support is satisfactory to withstand wind speeds to one hundred (100) miles per hour without being carried away;

- d. The antenna and its base shall not be located in the front yard or within fifty (50) feet of any public way.
- e. For lots 20,000 square feet or less, the Building Commissioner shall require screening such as fences or shrubs where the antenna is visible from abutting lots.

And replace with:

3513. A dish antenna is an antenna consisting of a radiation element which transmits or receives radiation signals generated as electrical, light or sound energy, and supported by a structure with or without a reflective component to the radiating dish, usually in a circular shape with a parabolic curve design constructed of a solid or open mesh surface, shall be known as a dish antenna. A dish antenna is allowed subject to the following conditions:

- a. Dish antennas smaller than two (2) feet in diameter shall be allowed in all districts and do not require a building permit.
- b. Dish antennas larger than two (2) feet in diameter but smaller than three (3) meters (39.37") are allowed by right in all districts and require a building permit in accordance with the provisions of 780 CMR (Massachusetts State Building Code).
- c. Dish antennas larger than three (3) meters (39.37"), in addition to the required building permit in accordance with 780 CMR (Massachusetts State building Code), shall be allowed by special permit from the Planning Board, subject to the following conditions:
 - 1. The Dish Antenna and its base shall not be located in the front yard or within fifty (50) feet of any public way.
 - 2. The Dish Antenna shall be permanently mounted on the ground and set back from the lot lines as an accessory structure in conformance with the requirements of this By-Law.
 - 3. The Planning Board shall require plantings, fences or other screening where the antenna is visible from abutting lots.

Planning Board

Executive Summary: The purpose of this article is to clarify and align the by-law with the FCC Telecommunications Act of 1996 and the Massachusetts State building Code.

Motion: The Planning Board motioned to Withdraw Article 24.

Voted: Article 24 was Withdrawn.

10:26 PM (10-1-02)

ARTICLE 25

To see if the Town will vote to amend the Zoning Bylaw as follows:

Section 10000- Definitions:

Replace **MAJOR RECREATIONAL EQUIPMENT:** Campers, trailers or other recreational vehicles.

With the following definition:

MAJOR RECREATIONAL EQUIPMENT: Campers, trailers, boats, boat trailers, snowmobiles, snowmobile trailers or other similar recreational vehicles.

Add a new section:

3222 MAJOR RECREATIONAL EQUIPMENT- The outdoor parking or storage of major recreational equipment in residential districts, shall be setback at least ten feet from any property line and at least fifteen feet from the edge of pavement of the street, and in all other districts, shall comply with the setback requirements of that district, in accordance with Section 4130 and the Table of Dimensional Requirements (Appendix B) of this Zoning Bylaw.

Planning Board

Executive Summary: Adds to the existing definition and applies setback requirements on this type of equipment.

Motion: The Planning Board motioned to Adopt Article 25.

Mr. Jim Evans motioned to Amend Article 25.

A motion was made for Indefinite Postponement.

Voted: Mr. Evan's Amendment Failed.

10:30 PM (10-1-02)

The motion for Indefinite Postponement was Adopted.

10:31 PM (10-1-02)

ARTICLE 26

To see if the Town will vote to add a new definition to Section 10000 of the Zoning Bylaw as follows:

DRIVE THROUGH FACILITY- A commercial facility which provides a service directly to a motor vehicle or where the customer drives a motor vehicle onto the premise and service is provided to the customer through a window, mechanical device or by an agent of the facility without the customer exiting the vehicle. This shall not include the selling of fuel at a gasoline filling station or the accessory functions of a carwash facility such as vacuum cleaning stations.

And amend Appendix A- Table of Use Regulations, Section C. Commercial Use #19 by replacing drive-in with drive through

And Amend Appendix A- Table of Use Regulations, Section C. Commercial Use by adding a new use:

38. Drive-through facility allowed by Planning Board special permit (PB) in COM, TR, HI, CDD, LB and "N" in all other districts.

Planning Board

Executive Summary: Updates the bylaw by addressing drive-through services and provides a definition that currently does not exist.

Motion: The Planning Board motioned to Adopt Article 26.

Voted: Article 26 was Adopted.
78 YES -0- NO Unanimous vote.

10:32 PM (10-1-02)

ARTICLE 27

To see if the Town will vote to amend the Tewksbury Zoning By-Laws, by amending the existing section 3511 as follows:

3511. A n accessory building not more than 20 feet in height above the average grade level around the structure. Accessory buildings shall not be more than one and one-half (1-1/2) stories and shall not be habitable.

Planning Board

Executive Summary: Clarifies the story height and uses of accessory buildings.

Motion: The Planning Board motioned to Adopt Article 27.

Voted: Article 27 was Adopted.
82 YES -0- NO Unanimous Vote

10:34 PM (10-1-02)

ARTICLE 28

To see if the Town will vote to amend Appendix B- Table of Dimensional Requirements of the Zoning Bylaw as follows:

For the HI District Minimum front yard replace 150 with 50.

Planning Board

Executive Summary: This restores the Heavy Industry District front yard setback to 50 feet, which existed prior to a scrivener's error in the May 2002 recodification of the Zoning Bylaw.

Motion: The Planning Board motioned to Adopt Article 28.

Voted: Article 28 was Adopted.
YES 63 NO -0- Unanimous vote.

10:34 PM (10-1-02)

ARTICLE 29

To see if the town will vote to amend the provisions of appendix c, table of parking requirements, of the Zoning Bylaw by deleting from Section C, Commercial, Paragraph 20 and inserting the following new Section 20:

Principal Use

20. Business or Professional Office

Planning Board

Required Spaces

A minimum of One (1) space for each three hundred (300') of Gross Floor Area (GFA)

Executive Summary: Changes the requirement from 1 space for each 200 feet of gross floor area to a minimum of 1 space for each 300 feet of gross floor area. Brings the requirement more in line with surrounding communities and industry standards. Reduces the creation of impervious surface.

Motion: The Planning Board motioned to Adopt Article 29.

Voted: Article 29 was Adopted.

10:35 PM (10-1-02)

YES 40 2 NO (2/3's vote required = 28)

ARTICLE 30

To see if the Town will vote to amend Appendix A- Table of Use Regulations Section D. Industrial Uses of the Zoning Bylaw by adding a new use as follows:

17. Trucking Company not allowed in any district.

Planning Board

Executive Summary: Explicitly prohibits a trucking company in any district which is defined as a commercial or industrial enterprise using heavy commercial vehicles to deliver goods, freight or construction materials such as sand, gravel, loam and the like.

Motion: The Planning Board motioned to Adopt Article 30.

Mr. Paul Finsel motioned to Indefinitely Postpone Article 30.

Voted: Article 30 was Indefinitely Postponed.

10:42 PM (10-1-02)

ARTICLE 31

To see if the Town Vote to amend the Zoning By-Law Section 2300, Map Zoning Districts by rezoning from Residence 40 District (R.40) to Multiple Family District (MFD), a certain parcel of land as shown on Assessors Map 61, Lot 47 thereon, and further described as:

The land, together with the building(s) thereon, located in Tewksbury, Middlesex (North) County, Massachusetts situated on the westerly side of Lee Street and the southerly side of East Street and thus bounded and described as follows: Easterly by said Lee Street; Southerly by land now or formerly of Frank H. Ryone and Eva V. Ryone, one hundred fifty feet; Easterly by last named land, one hundred feet; Southerly by land now or formerly of Elizabeth Saunders and by land now or formerly of Henry J. O'Dowd; Westerly by land now or formerly of Charles D. and Mary H. Williams; Northerly by the old graveyard; Westerly by the old graveyard; and Northerly by said East Street. Subject to and with the benefits of rights, easements, restrictions and reservations of record, in so far as in force and applicable.

And part of Map 61 Lot 111 and Lot 27:

The land, with the buildings thereon, situated in Tewksbury, Middlesex County, Massachusetts on the northeasterly side of Main Street and being shown as lot containing 3.59 acres on a plan of land entitles "Subdivision Plan of Land in Tewksbury, Massachusetts owned by Gilbert E. & Evelyn C. Bernard, Vincent & Ruth S. Camuso, February 15, 1984. William G. Troy & Associates," which plan is recorded with Middlesex North District Registry of Deeds in Book of Plans 143, Plan 122 and thus

bounded and described: Southerwesterly by said Main Street, 227.89 feet, Northwesterly by land now or formerly of Moon So and Kye Sook Kim, 343 feet; Southwesterly by said last-named land, 116 feet; Northwesterly again by land now or formerly of Alston Realty Trust, 41.74 feet; Northerly by land now or formerly of Town of Tewksbury, 191.28 feet; Northeasterly by land now or formerly of Thomas L. Hedstrom, 436.61 feet; Southerly by other land now or formerly of Gilbert E. Bernard et als, shown on said plan as a lot containing 1.003 acres, 268.22 feet; and Southeasterly by said last-named land, 130 feet. Containing 3.59 acres, more or less.

The land, with the buildings thereon, situated in Tewksbury, Middlesex County, Massachusetts on the northeasterly side of Main Street and being shown as lot containing 1.003 acres on a plan of land entitled "Subdivision Plan of Land in Tewksbury, Massachusetts, owned by Gilbert E. & Evelyn C. Bernard, Vincent & Ruth S. Camuso, February 15, 1984, William G. Troy & Associates," which plan is recorded with Middlesex North District Registry of Deed in Book of Plans 143, Plan 122 and thus bounded and described: Southerwesterly by said Main Street, 150 feet; Northwesterly by a lot shown as 3.59 acres on said plan, by two courses, 130 feet and 268.22 feet; Northeasterly by land now or formerly of Thomas L. Hedstrom, 72 feet; and Southeasterly by land now or formerly of William P. and Audrey J. Dole, 336.13 feet. Containing 1.003 acres, more or less.

Robert Scarano and Others

Executive Summary: This Article seeks to rezone from residential use to multifamily use a parcel of land with frontage on East Street and Lee Street containing 4+ acres in an effort to save the George Lee House from demolition and preserve the same in a common scheme of housing for persons over 50 years of age or do anything in relation thereto.

Motion: The Planning Board motioned to Adopt Article 31, as Amended.
Mr. Paul Fansel motioned to Indefinitely Postpone Article 31.
Attorney Robert Scarano motioned to Amend Article 31 with two (2) Amendments.

A motion was made to Move the Question and this motion was Adopted. 10:55 PM (10-1-02)

Voted: Attorney Scarano's 1st Amendment was Adopted. 10:57 PM (10-1-02)
Attorney Scarano's 2nd Amendment was Adopted. 10:59 PM (10-1-02)

Mr. Fansel's motion for Indefinite Postponement Failed. 11:00 PM (10-1-02)

Article 31 was Adopted, as Amended. 11:02 PM (10-1-02)
YES 243 NO 10 (2/3's vote = 169)

Attorney Scarano's 1st Amendment:

BY DELETING LANGUAGE IN PARAGRAPH 2, LINE 1, COMMENCING WITH 'The land, AND ENDING IN PARAGRAPH 4, LINE 12, more or less "INCLUSIVE; BY INSERTING:

Beginning at a point on the northerly line of Main Street at the southeast corner of land of now or formerly Kim Moon and the subject parcel, thence; northeasterly along said Moon land, a distance of 291 feet, more or less, to a point at the beginning of the commercial zone line, this being the true point of beginning, thence; northeasterly along said Moon land a distance of 52 feet, more or less, to a point, thence; westerly by land of now or formerly Kim Moon & Kyesook Trs. a distance of 116 feet, more or less, to a point at the northwest corner of land of now or formerly Kim Moon & Kyesook Trs. and of land of now or formerly MacDonald, thence; northeasterly by land of MacDonald a distance of 42 feet more or less, to a point at the northwesterly corner of land of now or formerly the Town of Tewksbury, thence; Northeasterly by said land of the Town of Tewksbury, a distance of 240 feet more or less, to a point on the southeasterly corner of said Town of Tewksbury land, thence; Northwesterly by said town of Tewksbury land a distance of 75 feet, more or less to a point on the southeasterly line of East Street, thence; Southeasterly along East Street and Lee Streets a distance of 610 feet more or less, to a point at the northeasterly corner of land of now or formerly Donald Berube, thence; Southwesterly along said Berube land a distance of 150 feet more or less, to a point at the northwest corner of said Berube land, thence; Southeasterly by said Berube land a distance of 100', more or less, to a point at the southeast corner of land of Berube and land of now or formerly Harrington, thence; southwesterly by said Harrington land and by land of now or formerly Dole Assoc. Lmt'd. Partnership a distance of 155 feet, more or less, thence; southwesterly by said Dole land a distance of 45 feet, more or less, to a point at the commercial zone line, thence; along said zone line a distance of 420 feet, more or less, to the true point of beginning. Meaning and intending to describe a portion of Lots 111, 27 and 47 on Tewksbury Assessor's Map 61.

Attorney Scarano's 2nd Amendment:

HISTORICAL PRESERVATION RESTRICTION

Know all men by these presents that Robert G. Scarano, Trustee, M. K. Realty Trust, having its usual place of business at 1147 Main Street, Tewksbury, Middlesex County, Massachusetts, being the Owner of certain real estate situated in said Tewksbury,

Middlesex County, Massachusetts, In Consideration, the sufficiency of which is acknowledged, hereby impose the following preservation restrictions on said premises for the benefit of the inhabitants of the Town of Tewksbury, the Grantee, his heirs, successors and assigns, which restrictions shall run with the land, and be superior to any mortgage of record, which shall subordinate to said restriction, and as a condition of a special permit in the Multi Family District Zone and common development scheme, preserve the structure in its current footprint, deemed historically significant, pursuant to Tewksbury Historical By-Law Chapter 15.12 030 Para. 3, and to forbid the alteration of the existing grounds comprising of 2 acres and consisting of its ancient walls, lane of trees, and open spaces enhancing the structure which provide a natural setting, with the exception of those spaces designated for improvement, and subject to Special Permit Approval by the Tewksbury Planning Board in the Multi Family District Zone.

The goal of this preservation restriction is to preserve and protect the present 1860 appearance, architectural features and elements of the structure and to ensure that the premises substantially retain the current natural, scenic and open condition. The Preservation Restriction set forth in this Agreement, pursuant to G. L. c. 184, Section 31 – 33. shall be recorded in the Grantors chain of title and run with the land pursuant to approval of the Multi Family District common scheme. For my title see Book 13328, Page 273; Book 13328, Page 270 and Book 13319 Page 169.
Submitted: Robert G. Scarano, Petitioner

ARTICLE 31 WITH AMENDMENTS INCORPORATED WITHIN

To see if the Town Vote to amend the Zoning By-Law Section 2300, Map Zoning Districts by rezoning from Residence 40 District (R.40) to Multiple Family District (MFD), a certain parcel of land as shown on Assessors Map 61, Lot 47 thereon, and further described as:

Beginning at a point on the northerly line of Main Street at the southeast corner of land of now or formerly Kim Moon and the subject parcel, thence; northeasterly along said Moon land, a distance of 291 feet, more or less, to a point at the beginning of the commercial zone line, this being the true point of beginning, thence; northeasterly along said Moon land a distance of 52 feet, more or less, to a point, thence; westerly by land of now or formerly Kim Moon & Kyesook Trs. a distance of 116 feet, more or less, to a point at the northwest corner of land of now or formerly Kim Moon & Kyesook Trs. and of land of now or formerly MacDonald, thence; northeasterly by land of MacDonald a distance of 42 feet more or less, to a point at the northwesterly corner of land of now or formerly the Town of Tewksbury, thence; Northeasterly by said land of the Town of Tewksbury, a distance of 240 feet more or less, to a point on the southeasterly corner of said Town of Tewksbury land, thence; Northwesterly by said town of Tewksbury land a distance of 75 feet, more or less to a point on the southeasterly line of East Street, thence; Southeasterly along East Street and Lee Streets a distance of 610 feet more or less, to a point at the northeasterly corner of land of now or formerly Donald Berube, thence; Southwesterly along said Berube land a distance of 150 feet more or less, to a point at the northwest corner of said Berube land, thence; Southeasterly by said Berube land a distance of 100', more or less, to a point at the southeast corner of land of Berube and land of now or formerly Harrington, thence; southwesterly by said Harrington land and by land of now or formerly Dole Assoc. Lmt'd. Partnership a distance of 155 feet, more or less, thence; southwesterly by said Dole land a distance of 45 feet, more or less, to a point at the commercial zone line, thence; along said zone line a distance of 420 feet, more or less, to the true point of beginning. Meaning and intending to describe a portion of Lots 111, 27 and 47 on Tewksbury Assessor's Map 61.

HISTORICAL PRESERVATION RESTRICTION

Know all men by these presents that Robert G. Scarano, Trustee, M. K Realty Trust, having its usual place of business at 1147 Main Street, Tewksbury, Middlesex County, Massachusetts, being the Owner of certain real estate situated in said Tewksbury, Middlesex County, Massachusetts, In Consideration, the sufficiency of which is acknowledged, hereby impose the following preservation restrictions on said premises for the benefit of the inhabitants of the Town of Tewksbury, the Grantee, his heirs, successors and assigns, which restrictions shall run with the land, and be superior to any mortgage of record, which shall subordinate to said restriction, and as a condition of a special permit in the Multi Family District Zone and common development scheme, preserve the structure in its current footprint, deemed historically significant, pursuant to Tewksbury Historical By-Law Chapter 15.12 030 Para. 3, and to forbid the alteration of the existing grounds comprising of 2 acres and consisting of its ancient walls, lane of trees, and open spaces enhancing the structure which provide a natural setting, with the exception of those spaces designated for improvement, and subject to Special Permit Approval by the Tewksbury Planning Board in the Multi Family District Zone.

The goal of this preservation restriction is to preserve and protect the present 1860 appearance, architectural features and elements of the structure and to ensure that the premises substantially retain the current natural, scenic and open condition. The Preservation Restriction set forth in this Agreement, pursuant to G. L. c. 184, Section 31 – 33. shall be recorded in the Grantors chain of title and run with the land pursuant to approval of the Multi Family District common scheme.
For my title see Book 13328, Page 273; Book 13328, Page 270 and Book 13319 Page 169.

ARTICLE 32

To see if the Town will vote to rezone from Residential (R-40) to Commercial (COM) certain parcels of land at the intersection of North Street and Andover Street described as follows:

Beginning at a point on the southerly line of Andover Street at the north west corner of land of now or formerly James & Doriana Aronson, thence; Easterly along the southerly line of Andover Street, a distance of 1,480 feet, more or less, to a point at the northeast corner of land now or formerly of Yvon Cormier Construction Company, thence; Southwesterly along said Cormier land and land now or formerly of Marc & Gerald Weitz a distance of 660 feet, more or less, to a point, thence; westerly by land now or formerly of Stephen & Eleanor Pirello a distance of 68.46 feet, more or less, to a point at the northeast corner of land now or formerly of Frank & Marie Ciccolella, thence; Southwesterly by said Ciccolella a distance of 279.55 feet more or less, to a point on the northwesterly line of North Street, thence; Northwesterly by said North Street a distance of 160 feet, more or less to a point directly opposite and perpendicular to the northeast corner of land now or formerly of Laurie London, thence; Southwesterly crossing North Street a distance of 50 feet, more or less to a point on the southwesterly line of said North Street at the northeast corner of said London land, thence; Northwesterly and Northeasterly by said London land to a point at the southeast corner of land now or formerly of Joseph & Martha Morello, thence; Northwesterly by said Morello land a distance of 200', more or less, to a point at the southeast corner of land now or formerly of Thomas & Jane Kelley, thence westerly by said Kelley land and said Aronson land a distance of 260 feet, more or less, to a point on the easterly line of land of land now or formerly of the Town of Tewksbury, thence; Northerly along the line between said Aronson land and said Town land a distance of 250 feet, more or less, to the point of beginning.

Meaning and intending to describe Lots 2, 3, 4, 5 and 6 on Tewksbury Assessor's Map 53 and Lots 46, 47, 48, 49, 50, 51, 52, 68 and 69 on Tewksbury Assessor's Map 39.

Joseph Marques and Others

Executive Summary: The purpose of this Article is to rezone the described Parcels from Residential (R-40) to Commercial (COM). The Town of Tewksbury is divided into 13 zoning districts and 3 overlay districts. The Residential District (R-40) and the Heavy Industrial District (HI) referenced in this Article, are two of the 13 permitted Zoning Districts within the Town. These districts are shown, defined and bounded on the map entitled "Town of Tewksbury Zoning Map" dated March 27, 2002, as described in Appendix D of the Zoning Bylaw, and approved at the May 7, 2002 Special Town Meeting.

The described Parcels all abut a major roadway (Andover Street/North Street) that handles large volumes of commercially generated traffic. In addition, each of the described Parcels presently abuts developed property that is zoned for Heavy Industrial use. These present uses include business and professional office, fast-food restaurants, manufacturing, research and development laboratories, hotel/motels, and transportation facilities.

When the abutting area was rezoned to Heavy Industrial, the above described Parcels were singled out for more restrictive treatment than was the similar surrounding land, resulting in the economic detriment to the owners of said Parcels. Thus, as presented in this Article, the rezoning of the described Parcels from R-40 to COM essentially creates a more properly defined "transitional buffer zone" between the Heavy Industrial area and the neighboring residential area.

Motion: The Planning Board informed the Assembly that Mr. Marques, the petitioner, requested that Articles 32 and 33 be Withdrawn.

Voted: Article 32 was Withdrawn.

11:03 PM (10-1-02)

ARTICLE 33

To see if the Town will vote to amend the Tewksbury Zoning Map dated March 27, 2002 and Appendix D, Zoning Map-Descriptions, of the Zoning Bylaw, by adding thereto a new section sss., described as follows:

COM (North Street and Andover Street)

sss. Beginning at a point on the southerly line of Andover Street at the northwest corner of land of now or formerly James & Doriana Aronson, thence; Easterly along the southerly line of Andover Street, a distance of 1,480 feet, more or less, to a point at the northeast corner of land now or formerly of Yvon Cormier Construction Company, thence; Southwesterly along said Cormier land and land now or formerly of Marc & Gerald Weitz a distance of 660 feet, more or less, to a point, thence; westerly by land now or formerly of Stephen & Eleanor Pirello a distance of 68.46 feet, more or less, to a point at the northeast corner of land now or formerly of Frank & Marie Ciccolella, thence; Southwesterly by said Ciccolella a distance of 279.55 feet more or less, to a point on the northwesterly line of North Street, thence; Northwesterly by said North Street a distance of 160 feet, more or less to a point directly opposite and perpendicular to the northeast corner of land now or formerly of Laurie London, thence; Southwesterly

crossing North Street a distance of 50 feet, more or less to a point on the southwesterly line of said North Street at the northeast corner of said London land, thence; Northwesterly and Northeasterly by said London land to a point at the southeast corner of land now or formerly of Joseph & Martha Morello, thence; Northwesterly by said Morello land a distance of 200', more or less, to a point at the southeast corner of land now or formerly of Thomas & Jane Kelley, thence westerly by said Kelley land and said Aronson land a distance of 260 feet, more or less, to a point on the easterly line of land of land now or formerly of the Town of Tewksbury, thence; Northerly along the line between said Aronson land and said Town land a distance of 250 feet, more or less, to the point of beginning.

Meaning and intending to describe Lots 2,3,4, 5 and 6 on Tewksbury Assessor's Map 53 and Lots 46, 47, 48, 49, 50, 51, 52, 68 and 69 on Tewksbury Assessor's Map 39.

Joseph Marques and Others

Executive Summary: In the event that Article 32 is approved by Town Meeting, it will be necessary to amend and update the Town Zoning Map and related provisions of the Zoning By Law in order for the Zoning Map to accurately reflect the updated change.

Motion: The Planning Board informed the Assembly that Mr. Marques, the petitioner, requested that Article 33 be Withdrawn.

Voted: Article 33 was Withdrawn. 11:03 PM (10-1-02)

ARTICLE 34

To see if the town will vote to rezone Tewksbury Assessors Map 27, Lot 4 from R-40 Residential to MFD Multiple Family District. Said parcel is comprised of 4.0 acres of land and is located at the end of Cobleigh Drive. Also, to see if the town will vote to rezone Tewksbury Assessors Map 27, Lot 110 from R-40 Residential to MFD Multiple Family District. Said parcel is comprised of 36,845 square feet of land and is located on River Road.

James Andella and Others

Executive Summary: This proposed zoning article seeks to amend the zoning bylaw by rezoning two abutting parcels of land one located at the end of Cobleigh Drive and one located on River Road from R-40 to MFD. This article if approved would allow the owner the option of constructing multiple family units on these parcels.

Motion: James Andella, the petitioner, motioned to Withdraw Article 34.

Voted: Article 34 was Withdrawn. 11:04 PM (10-1-02)

ARTICLE 35

To determine if the Town will vote to authorize the Board of Selectmen and/or Conservation Commission to grant easements upon such terms and conditions as deemed advisable, subject to legislative approval pursuant to Article 97 of the Amendments to the Massachusetts Constitution, to be obtained by Tennessee Gas Pipeline Company, to the Tennessee Gas Pipeline Company to lay, construct, maintain, operate, repair, change the size of, remove and replace a pipeline over three parcels of land to which the Town of Tewksbury and/or the Conservation Commission have an interest by instruments recorded Middlesex North District Registry of Deeds, Book 4182, Page 210 also shown as lot 34, on Assessors' Map 111, on Bradford Road; Middlesex North District Registry of Deeds, Book 2615, Page 367 also shown as lot 35, on Assessor's Map 111, off Whitegate Road; and Middlesex North District Registry of Deeds, Book 10028, Page 248 also shown as Lot 42 on Assessors' Map 91, land on Bligh Street, consisting of a proposed permanent right-of-way 35 feet more or less in width, together with temporary work space for construction purposes 35 feet more or less in width on either side of the proposed permanent easement immediately adjacent to the area of the proposed permanent easement said temporary work space to expire upon completion of construction or within a year from commencement of construction, whichever is less, or to act in any other manner in relation thereto. Said easements shall be located within the existing New England Power Company easements which cross each property as depicted on the said maps referenced above, attached hereto and made a part hereof.

Paul Sica and Others

Executive Summary: This Article grants easements across three parcels of property, within easements previously granted to New England Power Company to construct, operate and maintain a pipeline to deliver natural gas to Wyeth Pharmaceuticals, Inc. in Andover from a Tennessee Gas Pipeline Company mainline.

Motion: The Finance Committee motioned to Adopt Article 35.
A motion was made to Indefinitely Postpone Article 35.

A motion was made to allow a non-resident to address the Assembly and this motion was Adopted. 11:06 PM (10-1-02)

Board of Health Chairman, Stephanie Wilkie, motioned to Move the Question and this motion was Adopted. 11:15 PM (10-1-02)

Voted: The motion for Indefinite Postponement Failed. 11:16 PM (10-1-02)
Article 35 was Adopted. 11:16 PM (10-1-02)

ARTICLE 36

To see if the Town will vote to amend the Personnel By-Law, Section IV. Fringe Benefits by adding the following to paragraph (j) Terminal Leave:

Program Eligibility – The longevity incentive program shall be available to employees who have at least ten years of continuous, creditable service with the Town and whose sick leave buy-back, also referred to as terminal leave, if paid when they enter the program, would be greater than or equal to **twenty (20%)** per cent of the salary the employee received on the date they enter the program. In order to participate in the program, an employee must notify the Town Manager in writing of his/her intention to participate in the program and if the employee will retire by a date certain. This notice also must indicate the extent to which the employee intends to participate in the longevity incentive program and that the employee agrees to abide by the provisions of this program.

The Benefit – For up to one hundred fifty-six (156) weeks, the Town shall increase the base pay of participating employees by a maximum amount of ten percent (10%). The extent of the increase in base pay is elected by the employee when the notice referred to above is given, providing the employee has accumulated a sufficient sick leave balance to fund the increment in base pay. On the first day of each fiscal year of the program, the Town shall deduct from accumulated sick leave the number of sick days necessary to fund the incentive benefit for that fiscal year, in accordance with the buyback or terminal leave percentage contained in the applicable collective bargaining agreement. This benefit may extend retroactively to July 1, 2001.

Conclusion of the Benefit – Upon completion of the employee's participation in the program, the employee's salary shall revert to the level it would have been had the employee not participated in the program. Commencing with the first pay period after the date on which the employee notified the Town he/she planned to retire, the Town shall deduct from the employee's regular wages (which term shall include payments made to an employee due to incapacity for service or non-service related disability other than a disability retirement allowance, but which term shall not include any retirement allowance), but from no other source, in twelve payments, the amount of the incentive benefit the employee received, with interest at the rate of twelve percent per year (12%/yr.) from the date of the first incentive benefit payment. By participating in this program, the employee agrees to this deduction from his wages.

Payment of Balance of Accumulated Sick Leave (also referred to as Terminal Leave) – If a participant in the Longevity Incentive Program retires with a balance of accumulated sick leave, the Town shall pay the balance due under the Personnel By-Law in two equal installments. The first installment shall be paid following the employee's request after July 1 of the fiscal year following the fiscal year in which the employee retired; the second installment shall be paid in the second fiscal year following the fiscal year in which the employee retired.

Or take any other action relative thereto.

Town Manager

Executive Summary: The purpose of this article is to convert a liability the Town owes to a retiring employee so that it is payable over five fiscal years rather than one fiscal year thereby avoiding large budgetary increases when an employee retires.

*Scriveners Error:

Note scriveners error in third line of second paragraph – "thirty (30%)" should be "twenty (20%)"
The Moderator accepted the scriveners error.

Motion: The Finance Committee motioned to Adopt Article 36.

Voted: Article 36 was Adopted.

11:16 PM (10-1-02)

***The correction has been incorporated into Article 36 and highlighted in bold print.**

Finance Committee Chairman, Ray Shaw, motioned to Adjourn the October 1, 2002, Special Town Meeting, Sine Die, and this motion was Adopted.

11:17 PM (10-1-02)

ATTEST:

ELIZABETH A. CAREY, CMC, CMMC
TOWN CLERK

State Election

November 15, 2002

At a meeting of the Inhabitants of the Town of Tewksbury, called by proper warrant and qualified to vote in Town affairs, held this day at the DPW for Precinct 1 and 1A; at the Teen Center for Precinct 2; at the South Fire Station for Precinct 2A; at the Senior Center for Precinct 3 and 3A; and at the Library for Precinct 4 and 4A, the following business was transacted. Registered on the ballot boxes in the seven Precincts showed 0000, and check lists were in order. Polls opened at 7:00 AM and closed at 8:00 PM. There were 11,217 votes cast. Precinct 1 – 1,298, Precinct 1A – 1,379, Precinct 2 – 1,336, Precinct 2A – 1,334, Precinct 3 – 1,590, Precinct 3A – 1,530, Precinct 4 – 1,311, and Precinct 4A – 1,439.

| | | |
|-------------|----------------------------|-------------------------|
| Precinct 1 | - Alice Golen, Warden | Alice A. Carroll, Clerk |
| Precinct 1A | - Mary A. Casazza, Warden | Anne M. Callahan, Clerk |
| Precinct 2 | - Bernice Sprague, Warden | Marie T. Magro, Clerk |
| Precinct 2A | - Rosemarie Krugh, Warden | Bertha D'Amico, Clerk |
| Precinct 3 | - Jean Ray, Warden | Virginia Perrin, Clerk |
| Precinct 3A | - Rita Coyle, Warden | Mary Pilcher, Clerk |
| Precinct 4 | - Mary Ann Nichols, Warden | Rita O'Brien Dee, Clerk |
| Precinct 4A | - Angela Callahan, Warden | Dorothy McGrath, Clerk |

STATE ELECTION NOVEMBER 5, 2002

PRECINCT TOTALS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|------|------|------|------|------|------|------|------|-------|
| | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

SENATOR IN CONGRESS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|------------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 99 | 102 | 80 | 80 | 136 | 133 | 97 | 90 | 817 |
| John F. Kerry | 918 | 1003 | 992 | 977 | 1099 | 1088 | 962 | 1079 | 8118 |
| Michael E. Cloud | 277 | 272 | 257 | 273 | 347 | 305 | 241 | 263 | 2235 |
| Randall Forsberg | 0 | 0 | 0 | 2 | 3 | 0 | 3 | 3 | 11 |
| Others | 4 | 2 | 7 | 2 | 5 | 4 | 8 | 4 | 36 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

GOVERNOR AND LIEUTENANT GOVERNOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|-------------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 8 | 9 | 10 | 7 | 15 | 15 | 9 | 12 | 85 |
| Howell/Aucoin | 21 | 15 | 8 | 23 | 10 | 18 | 11 | 13 | 119 |
| O'Brien/Gabrielli | 391 | 490 | 519 | 452 | 512 | 514 | 492 | 575 | 3945 |
| Romney/Healey | 847 | 822 | 749 | 798 | 1004 | 932 | 736 | 778 | 6666 |
| Stein/Lorenzen | 24 | 28 | 36 | 33 | 38 | 42 | 47 | 39 | 287 |
| Johnson/Schebel | 6 | 13 | 12 | 20 | 10 | 8 | 13 | 20 | 102 |
| Others | 1 | 2 | 2 | 1 | 1 | 1 | 3 | 2 | 13 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

ATTORNEY GENERAL

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|------------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 331 | 305 | 294 | 317 | 408 | 430 | 288 | 316 | 2689 |
| Thomas F. Reilly | 959 | 1059 | 1032 | 1002 | 1163 | 1087 | 1010 | 1109 | 8421 |
| Others | 8 | 15 | 10 | 15 | 19 | 13 | 13 | 14 | 107 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

SECRETARY OF STATE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|------------------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 92 | 96 | 88 | 91 | 128 | 137 | 103 | 105 | 840 |
| William Francis Galvin | 813 | 942 | 941 | 900 | 1023 | 981 | 927 | 1027 | 7554 |
| Jack E. Robinson, III | 392 | 338 | 305 | 341 | 437 | 410 | 274 | 304 | 2801 |
| Others | 1 | 3 | 2 | 2 | 2 | 2 | 7 | 3 | 22 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

TREASURER

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 78 | 64 | 60 | 68 | 96 | 98 | 74 | 74 | 612 |
| Timothy P. Cahill | 536 | 647 | 659 | 612 | 656 | 624 | 623 | 749 | 5106 |
| Daniel A. Grabauskas | 599 | 578 | 518 | 528 | 739 | 698 | 502 | 527 | 4689 |
| James O'Keefe | 83 | 90 | 98 | 126 | 98 | 109 | 108 | 89 | 801 |
| Others | 2 | 0 | 1 | 0 | 1 | 1 | 4 | 0 | 9 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

AUDITOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|--------------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 161 | 155 | 129 | 150 | 211 | 211 | 151 | 148 | 1316 |
| A. Joseph DeNucci | 867 | 965 | 925 | 908 | 1003 | 984 | 944 | 1042 | 7638 |
| Kamal Jain | 88 | 85 | 74 | 97 | 132 | 118 | 57 | 82 | 733 |
| John James Xenakis | 177 | 171 | 207 | 177 | 240 | 216 | 156 | 167 | 1511 |
| Others | 5 | 3 | 1 | 2 | 4 | 1 | 3 | 0 | 19 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

REPRESENTATIVE IN CONGRESS

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|------------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 40 | 53 | 50 | 54 | 64 | 80 | 57 | 60 | 458 |
| Martin T. Meehan | 726 | 796 | 813 | 780 | 847 | 856 | 813 | 896 | 6527 |
| Ilana Freedman | 66 | 79 | 73 | 93 | 74 | 98 | 68 | 84 | 635 |
| Charles McCarthy | 465 | 449 | 400 | 407 | 605 | 495 | 371 | 396 | 3588 |
| Others | 1 | 2 | 0 | 0 | 0 | 1 | 2 | 3 | 9 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

COUNCILLOR

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|--------------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 429 | 414 | 390 | 419 | 589 | 567 | 401 | 433 | 3642 |
| Mary-Ellen Manning | 860 | 952 | 941 | 904 | 991 | 952 | 901 | 995 | 7496 |
| Others | 9 | 13 | 5 | 11 | 10 | 11 | 9 | 11 | 79 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

SENATOR IN GENERAL COURT

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|-----------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 76 | 85 | 62 | 87 | 97 | 96 | 84 | 94 | 681 |
| Susan C. Tucker | 693 | 838 | 842 | 773 | 885 | 898 | 810 | 937 | 6676 |
| Maria Marasco | 527 | 453 | 432 | 473 | 607 | 535 | 415 | 404 | 3846 |
| Others | 2 | 3 | 0 | 1 | 1 | 1 | 2 | 4 | 14 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

REPRESENTATIVE IN GENERAL COURT

| Precinct | 1 | 1A | 2 | 2A | 4 | 4A | Total |
|-----------------------|------|------|------|------|------|------|-------|
| Blanks | 56 | 42 | 36 | 29 | 52 | 44 | 259 |
| James R. Miceli | 896 | 1037 | 909 | 917 | 891 | 1059 | 5709 |
| Daniel H. Ballou, Jr. | 346 | 299 | 390 | 387 | 365 | 336 | 2123 |
| Others | 0 | 1 | 1 | 1 | 3 | 0 | 6 |
| Total | 1298 | 1379 | 1336 | 1334 | 1311 | 1439 | 8097 |

| Precinct | 3 | 3A | Total |
|-------------------|------|------|-------|
| Blanks | 557 | 531 | 1088 |
| Barry R. Finegold | 1021 | 981 | 2002 |
| Others | 12 | 18 | 30 |
| Total | 1590 | 1530 | 3120 |

DISTRICT ATTORNEY

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 339 | 314 | 325 | 323 | 441 | 442 | 304 | 361 | 2849 |
| Martha Coakley | 953 | 1052 | 1002 | 1002 | 1138 | 1078 | 995 | 1069 | 8289 |
| Others | 6 | 13 | 9 | 9 | 11 | 10 | 12 | 9 | 79 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

REGISTER OF PROBATE

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|-----------------|------|------|------|------|------|------|------|------|-------|
| Blanks | 129 | 147 | 130 | 134 | 203 | 212 | 140 | 159 | 1254 |
| John R. Buonomo | 631 | 764 | 781 | 724 | 755 | 748 | 751 | 835 | 5989 |
| John W. Lambert | 536 | 463 | 424 | 474 | 630 | 568 | 416 | 442 | 3953 |
| Others | 2 | 5 | 1 | 2 | 2 | 2 | 4 | 3 | 21 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

QUESTION 1

Eliminating State Personal Income Tax

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|------|------|------|------|------|------|------|------|-------|
| Blanks | 113 | 120 | 123 | 95 | 117 | 109 | 134 | 116 | 927 |
| Yes | 645 | 614 | 625 | 658 | 769 | 764 | 604 | 645 | 5324 |
| No | 540 | 645 | 588 | 581 | 704 | 657 | 573 | 678 | 4966 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

QUESTION 2

English Language Education in Public Schools

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|------|------|------|------|------|------|------|------|-------|
| Blanks | 78 | 94 | 65 | 156 | 89 | 138 | 106 | 120 | 846 |
| Yes | 999 | 1032 | 1033 | 970 | 1196 | 1134 | 957 | 1054 | 8375 |
| No | 221 | 253 | 238 | 208 | 305 | 258 | 248 | 265 | 1996 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

QUESTION 3

Taxpayer Funding for Political Campaigns

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|------|------|------|------|------|------|------|------|-------|
| Blanks | 62 | 80 | 37 | 135 | 78 | 134 | 74 | 95 | 695 |
| Yes | 192 | 226 | 195 | 181 | 262 | 261 | 232 | 237 | 1786 |
| No | 1044 | 1073 | 1104 | 1018 | 1250 | 1135 | 1005 | 1107 | 8736 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

QUESTION 4
Construction of Sidewalks

| Precinct | 1 | 1A | 2 | 2A | 3 | 3A | 4 | 4A | Total |
|----------|------|------|------|------|------|------|------|------|-------|
| Blanks | 108 | 98 | 62 | 148 | 120 | 166 | 114 | 115 | 931 |
| Yes | 488 | 545 | 645 | 569 | 725 | 641 | 671 | 610 | 4894 |
| No | 702 | 736 | 629 | 617 | 745 | 723 | 526 | 714 | 5392 |
| Total | 1298 | 1379 | 1336 | 1334 | 1590 | 1530 | 1311 | 1439 | 11217 |

| | |
|-------------------------|-------|
| Total Registered Voters | 16584 |
| Total Votes | 11217 |
| Percent | 68% |

A True Copy Attest:
Elizabeth A. Carey
Town Clerk

ADMINISTRATION

*Board of Selectmen
Administrative Services
Housing Authority
Veteran's Services*

*Town Manager
Board of Registrars
Parking Clerk*

*Town Counsel
Dog Officer
Town Clerk
Public Works*

Board of Selectmen



PHOTO: Board of Selectmen

Front row, from left: Joseph P. Gill, Jr., Kevin Anderson, Charles E. Coldwell.

Back row, from left: John Ryan, Douglas W. Sears, Esq.

In 2002, the Board of Selectmen held regular meetings twice a month September through May and once a month during the months of June, July and August. Additionally, members of the Board served on many subcommittees including but not limited to the South Fire Station Building Committee, Senior Center Building Committee, Sewer Agreement Committee, Memorial Day Committee, Wynn and Ryan School Building Committees, Town Meeting Review Committee and Land Use Committee. The Board held conduit and pole petition hearings and liquor license hearings. Many residents applied for and were appointed to serve on the various openings on town committees.

Our state legislators, Representative James Miceli, Senator Susan Tucker, and Representative David Nangle were available to the Board on a regular basis to discuss pending and future legislation of interest to the community.

The Board of Selectmen wishes to extend their thanks to all department heads, town employees, and office staff for their commitment to better serve the residents during this past year. The Board would also like to take this opportunity to thank those men and women who have served this community as members of numerous appointed and elected boards and committees for the time and effort expended by them in various positions in town government.

The Selectmen's Office, which is located in the Town Hall, is open Monday through Friday from 8:00 a. m. to 4:30 p. m. for the convenience of the townspeople. The Selectmen meet twice a month on Tuesday evenings at 7:30 p. m. All residents are welcome to attend these meetings. However, if you wish to be heard on an issue, or have the Board take action on a specific matter, it will be necessary to have a detailed written request presented at the Selectmen's Office prior to the noon closing of the agenda on

Wednesday preceding each meeting. This procedure enables the Selectmen to gather any pertinent information prior to the meeting and eliminates the necessity for delay in making decisions.

For your convenience, the Selectmen's meetings, as well as other Board and Committee meetings, continue to be televised live on Channel 10.

BOARD OF SELECTMEN

Kevin Anderson, Chairman

Joseph P. Gill, Jr., Vice Chairman

Charles E. Coldwell, Clerk

John Ryan

Douglas W. Sears, Esq.

Town Manager

Looking back over 2002, it appears to be better than looking ahead to 2003 due to the looming fiscal problems Tewksbury will encounter in FY2004 due to the Commonwealth's budget problems which will most likely have significant impacts on Tewksbury.

In looking back over 2002, the first highlight was the successful conclusion of the Town's arbitration case with the IBPO union.

The Town was successful in lobbying for two pieces of early retirement legislation which allowed the Town to balance its FY2003 budget and will help with the Town's FY2004 budget. However, the Town was left with a five percent reduction in its workforce plus the loss of many dedicated employees.

In terms of infrastructure project, a significant development was the Town's overwhelming adoption of the Master Sewer Plan at the October Special Town Meeting. As the year closed the Town and its consulting engineer were busy developing plans so that construction can start in the summer of 2003.

The Wynn Middle School project required a lot of attention and as the year ended substantial completion was only several weeks away.

During the summer months, the Livingston Street reconstruction project was completed. This was an innovative project in terms of being the first application of recycled shredded tires in Massachusetts for which the town has won an award.

The Strong Water Brook culvert under Shawsheen Street which had been damaged by the March, 2001 flood was replaced.

Toward the end of the year water mains on Roger Street and Anthony Road were replaced. The trestle bridge over the Shawsheen River between Regina S. Drive and Shawsheen Street was expanded so that that one lane of vehicles could use it during a flood event. Sidewalk construction took place on Hill Street and two parts of Main Street plus the Town did some street paving.

In June, the Town finally completed the sale of the former Court Street well field and started working on plans to expand the sludge treatment facility at the Water Treatment Plant. The construction at the water treatment plant will start in the summer of 2003 and be completed in 2004.

The water system improvements, dispatch center improvements and the work of the Fire, Public Works and Police Departments personnel resulted in the Town's Insurance rating for fire insurance improve from Class 5 to Class 4 by the ISO, an independent rating agency. This places the Town in the top ten percent of communities throughout the nation rated by the ISO.

The Senior Center Building Committee worked on selecting an architect, Sterling Associates, for the renovation and expansion of this facility. By 2004, preliminary plans for this project will be developed.

During the last part of the year a significant portion of my time was spent as Vice-Chairman of the NESWC Board of Directives and a member of the NESWC Strategic Planning Committee developing plans for the Town's trash disposal service after September, 2005 when the contract with Wheelabrator ends. Hopefully in early 2003 there will be an announcement concerning our future plans.

As of 2003, my term on the Massachusetts Municipal Association Board of Directors and the Massachusetts Municipal Managers Association Executive Committee draws to a close. Hopefully, my tenure in these positions was beneficial to Massachusetts cities and towns and my profession as I enjoyed my service in these positions.

Town Counsel

In 2002, Charles J. Zaroulis, Town Counsel, represented the Town of Tewksbury in litigation before the Middlesex Superior Court, the Massachusetts Land Court, the Appeals Court, and in matters before the Appellate Tax Board.

The Town received favorable decisions and/or judgments in the following cases:

- Sheehan and DAV v. Flanagan and Town - Superior Court
- Tewksbury v. Anthony Salipante, et al. - Superior Court

The following cases against the Town were dismissed:

- Feener v. Wamesit Village and Town of Tewksbury - Superior Court
- IRA Motor Group, Inc. v. Zoning Board of Appeals - Superior Court, C. A. No.: 00-2374
- Miskel, Trustee, PBM Realty Trust v. Zoning Board of Appeals - Superior Court
- Sughrue v. Berube and Zoning Board of Appeals - Superior Court
- John D. Sullivan v. The Town of Tewksbury (Main Street) - Land Court

The following cases are pending:

- Atlantic Dracut Realty LP, et al. v. Planning Board - Appeals Court
- Atlantic Dracut Realty LP, et al. v. Zoning Board of Appeals - Appeals Court
- Building Commissioner v. John D. Sullivan (Catamount Road) - Superior Court
- Louis Carciofi v. FAB and Zoning Board of Appeals - Superior Court
- Connolly and Macauley v. Planning Board - Land Court
- David G. Cressman and Planning Board v. George Brothers and Zoning Board of Appeals - Land Court
- David G. Cressman v. FAB and Zoning Board of Appeals - Superior Court
- Veronica Curseaden v. Zoning "Board of Appeals - Superior Court
- Demoulas Super Markets, Inc. (Warehouse) v. Planning Board - Land Court
- Robert DeStefano, Trustee v. Zoning Board of Appeals - Land Court
- Robert DeStefano, Trustee v. Planning Board - Land Court
- Germano v. Zoning Board of Appeals - Superior Court
- Giasullo v. Planning Board - Land Court
- Guy Indelicato v. Zoning Board of Appeals - Superior Court
- IRA Motor Group, Inc. v. Zoning Board of Appeals - Land Court
- Klock v. Zoning Board of Appeals - Superior Court
- L. J. DiPalma, Inc. v. Planning Board - Land Court
- Lefebvre, Donald, Jr. v. Zoning Board of Appeals - Land Court
- City of Lowell v. Tewksbury - Superior Court
- MJP Contracting, Inc. v. Zoning Board of Appeals - Land Court
- Mathews v. Zoning Board of Appeals - Superior Court (three cases)
- McDade v. Zoning Board of Appeals - Superior Court
- Paul Nicosia v. Powell and Town of Tewksbury
- R.J.R. Ventures, d/b/a Cornerstone Corp. v. Planning Board - Land Court
- James Ryan, et al. v. Demoulas and Conservation Commission - Superior Court
- James Ryan, et al. v. Demoulas Super Markets, Inc. and Planning Board - Superior Court
- Sheehan and DAV v. Flanagan and Tewksbury - Appeals Court
- Sideropoulos, Trustee v. Zoning Board of Appeals - Land Court
- Tewksbury Building Commissioner v. George Brothers - Superior Court
- Tewksbury Building Commissioner v. Christopher Eagan - Superior Court
- George Thompson, et al. v. Town of Tewksbury - Land Court
- Tremblay v. Zoning Board of Appeals - Land Court
- Wamesit Village, Inc. v. Conservation Commission - Superior Court

The following cases were favorably settled:

- Ames Pond, LLC v. Balukonis and The Town of Tewksbury - Superior Court
- Tewksbury Building Commissioner v. William Chandler, et al. - Superior Court

In addition to court and administrative hearings, your Town Counsel appeared before state agencies, prepared legal documents, contracts, deeds, easements, court pleadings, memoranda and opinions for various departments; he has drafted by-laws and rules and regulations for Boards and has drafted Town Meeting Articles; and he has made eminent domain land takings for highway and sewer improvements.

Town Counsel encourages Town officials to communicate with him as soon as possible after becoming aware of any potential problem or litigation. In addition, your Town Counsel is pleased to assist in making Town government more responsive to the safety and well being of Tewksbury's citizens to prevent claims against the Town and to provide appropriate governance for its inhabitants.

Town Counsel will continue his program of providing municipal law memoranda and seminars which address important and current issues of law and the interpretation of laws for the various Boards, Committees, Commissions, and Departments.

Town Counsel again thanks the Boards of Selectmen, the Town Manager, the several Boards, Committees, Commissions, Departments, and their officers and employees for the excellent co-operation again afforded to him during the past year.

Charles J. Zaroulis
Town Counsel

Administrative Services

OFFICE HOURS ARE MONDAY THRU FRIDAY
7:30 A.M. - 4:30 P.M.

Department Staff

- William Rose, Administrative Services Assistant, concentrating on Personnel Computer System, Job Postings, and New Employee Orientation.
- Melanie Sitar, Administrative Services Assistant, concentrating on Employee Benefits, Occupational Injury Compensation, and Medical Cost Analysis.
- Barbara Hague, Administrative Secretary, part time assistance with secretarial and accounts payable. Barbara retired this year and her services will be missed.

2002 was a busy year for the Administrative Services Department, which serves the town in the following areas:

Employee Services

- Central Data Base
All town and school employees are now listed on the central database with their benefits including health, dental, and life insurance plans.
All town employee's vacation, sick time, and personal days are tracked.
- Job Postings for all town side employment opportunities
- Background Checks and physicals are accomplished on all new employees
- New Employee Orientation
New employees are made aware of town benefits, the sexual harassment policy is distributed/explained, and payroll information is collected.
- Standardization of Job Titles
Both managerial and clerical job classification has been implemented
- Exit interviews are now conducted on terminating town employees
- Administrative Services provides support for the Personnel Relations Review Board
- Administrative Services establishes, reviews, and publishes policies to maintain continuity of personnel practices.
- The Code of Ethical Conduct adopted by the Board of Selectmen was distributed to all town employees and is now included in the new employee orientation.

Town Hall/Annex Facilities Management

- Two part time custodians were hired this year and the Town Hall cleaning service was discontinued.
- The Town Hall Annex is maintained by a cleaning service and Facilities Management.
- Continued to maintain Town Hall heating system.
- Town Hall/Annex telephone system maintained and updated.

Centralized Purchasing

- Paper Products
- Telephone and Electric Bills
- Postage for Town Hall, Annex, Recreation, and Central Fire has been consolidated into one budget maintained by this department.

The year 2003 will continue to bring new challenges to this department.

Respectfully,
Ellsworth K. Hart
Director, Administrative Services

Board of Registrars

Beverly A. Bennett
Edward Creamer , Chairman
Donald Ordway
Elizabeth A. Carey, Town Clerk

One of the major duties of the Board of Registrars is to conduct all voter registration sessions. Registrars are responsible for the voter registration process, for maintaining voter registration records, and for submitting certain records to the Secretary of State.

There are three (3) important lists the registrars are required to prepare: the annual street list, the annual card file of registered voters, and the registered voters list.

Certification of nomination papers, petitions, proposed town meeting articles, and applications for absentee voting are also the duty of the Registrars. Applications for voting absentee may be requested from the Office of the Town Clerk. Information about absentee voting may be obtained by phoning the Town Clerk's Office at 640-4355.

Prior to any election or town meeting, the Board of Registrars conducts a special voter registration session; the date and time are published in advance in the local newspapers and cable tv.

In 1994 the Motor Voter Law became effective and this allows eligible town residents to register to vote by mail. Phone the Town Clerk's office at 640-4355 and request that a mail-in voter registration form be mailed to you and/or eligible members of your family.

Residents may register to vote at the Town Clerk's Office, Town Hall, Monday through Friday, from 8:30 A.M. to 4:30 P.M. and Tuesday evenings from 7:00 P.M. to 8:30 P.M.

PRECINCT ENROLLMENT:

| | |
|-------------|-------|
| Precinct 1 | 2,025 |
| Precinct 1A | 2,095 |
| Precinct 2 | 2,022 |
| Precinct 2A | 1,990 |
| Precinct 3 | 2,389 |
| Precinct 3A | 2,196 |
| Precinct 4 | 1,969 |
| Precinct 4A | 2,147 |

PARTY ENROLLMENT:

| Precinct | Democrat | Green Party USA | Interdependent 3 rd Party | Libertarian | Massachusetts | Reform Green | Republican | Unenrolled | Total |
|----------|----------|--------------------|---|-------------|---------------|-----------------|------------|------------|--------|
| 1 | 610 | 0 | 0 | 11 | 2 | 1 | 309 | 1,092 | 2,025 |
| 1A | 701 | 0 | 3 | 7 | 1 | 1 | 258 | 1,124 | 2,095 |
| 2 | 721 | 0 | 2 | 12 | 2 | 2 | 204 | 1,079 | 2,022 |
| 2A | 672 | 0 | 0 | 12 | 1 | 1 | 249 | 1,055 | 1,990 |
| 3 | 767 | 0 | 2 | 9 | 0 | 0 | 382 | 1,229 | 2,389 |
| 3A | 692 | 0 | 2 | 10 | 3 | 2 | 268 | 1,219 | 2,196 |
| 4 | 696 | 1 | 2 | 3 | 0 | 0 | 217 | 1,050 | 1,969 |
| 4A | 832 | 1 | 4 | 8 | 1 | 1 | 244 | 1,056 | 2,147 |
| Total | 5,691 | 2 | 15 | 72 | 10 | 8 | 2,131 | 8,904 | 16,833 |

Respectfully submitted,
Elizabeth A. Carey, CMC, CMMC
Town Clerk

Dog Officer

I would like to take this opportunity to thank all the residents who have obeyed the Leash Law in Tewksbury. All dogs in Tewksbury must be licensed and have all their shots, this is for the safety of the residents as well as the dogs. If your dog is not licensed and is picked up, it is very hard to trace the owner to the dog and this could result in extra fines. Let's protect our children and all residents (from dog bites, etc.) and keep your dogs restrained.

I would like to make you aware, if your dog is picked up, that there will be an administration fee of \$25.00 plus \$5.00 per day for board and keep, up to \$190.00 plus fines as follows:

| | |
|---------------------|---------|
| FIRST OFFENSE | \$25.00 |
| SECOND OFFENSE | 50.00 |
| THIRD OFFENSE | 100.00 |
| SUBSEQUENT OFFENSES | 100.00 |

(within a calendar year)

REMEMBER PLEASE HAVE YOUR DOG LICENSED AND MAKE SURE THEY HAVE ALL THE NECESSARY SHOTS.

WHEN YOU LICENSE YOUR DOG BE SURE TO GET A COPY OF THE DOG BY-LAW WHICH WENT INTO EFFECT 1/1/98.

Walter Collins
Dog Officer

Housing Authority

The year 2002 has added 359 new applicants to the Authority's Elderly, Disabled and Family Public Housing Programs. The vacancy turnover for the elderly and disabled housing units was 18, and 3 turned over in the family units.

The Tewksbury Housing Authority manages 232 State and Federal Public Housing Units and administers 110 Federally Subsidized Housing Units through the Housing Choice Voucher Program.

In 2002 the Authority has received \$67,760 through a Comprehensive Improvement Assistance Program provided by the Department of Housing and Urban Development (HUD) to perform site improvements to the Flucker Heights Elderly Development. We have also received \$8,600.00 from the Department of Housing and Community Development to prepare a Capital Improvement Plan for the Authority's State units.

The Authority had to disposition a three bedroom unit this year. However, we were able to purchase a duplex consisting of two, three bedroom units which added another unit to the Town's inventory.

The Tewksbury Housing Authority's Board of Commissioners consists of four (4) Elected Officials and one (1) State Appointed Official. Housing Authority meetings are held on the first Tuesday of each month at 3:00 P.M., in the Community Building at the Saunders Circle Development.

In closing I would like to thank my fellow Board Members, our office staff and maintenance department in their efforts to provide and maintain decent, safe and affordable housing for our community.

Respectfully submitted,
 Louise A. Gearty
 Chairman, Tewksbury Housing Authority

**TEWKSBURY REVOLVING FUND
 BALANCE SHEET
 DECEMBER 31, 2002**

ASSETS

CASH

| | | | |
|------|--------------------------|-----------------|--------------|
| 1111 | ENTERPRISE BANK | \$ 31,347.83 | |
| 1112 | BANKNORTH #0220549817 | 10,016.23 | |
| 1113 | PET/ENTERPRISE #10226913 | <u>2,860.94</u> | |
| | TOTAL CASH | | \$ 44,225.00 |

ACCOUNT RECIEVABLE

| | | | |
|------|---------------------------|-------------------|-------------|
| 1121 | A/R MA 139-1 DEPT 1 | (9,580.42) | |
| 1122 | A/R SECT 8 VOUCHER DEPT 2 | (5,699.32) | |
| 1123 | A/R 400-01 DEPT 03 | (1,993.18) | |
| 1125 | A/R CIAP DEPT 05 | (0.40) | |
| 1127 | A/R 167-1 DEV DEPT 7 | 390.89 | |
| 1132 | A/R 689-1 DEV DEPT 9 | (2,658.61) | |
| 1133 | A/R 689-2 DEV DEPT 11 | <u>(4,821.40)</u> | |
| | TOTAL ACCOUNT RECIEVABLE | | (24,362.44) |

DEFERRED CHARGES

| | | | |
|------|------------------------|--|-------------|
| 1290 | UNDISTRIBUTED CHARGES | | |
| 1291 | DEFERRED PAYROLL | | |
| | TOTAL DEFERRED CHARGES | | <u>0.00</u> |

| | | |
|--------------|--|---------------------|
| TOTAL ASSETS | | <u>\$ 19,862.56</u> |
|--------------|--|---------------------|

SEE ATTACHED COMPILATION REPORT

TEWKSBURY REVOLVING FUND
BALANCE SHEET
DECEMBER 31, 2002

LIABILITIES

| | | | |
|------|-------------------------------|-------------|---------------------|
| | ACCOUNT PAYABLES | | |
| 2114 | SECURITY DEP-PETS | \$ 2,860.94 | |
| 2171 | FEDERAL WITHHOLDING TAX | | |
| 2172 | STATE WITHHOLDING TAXES | | |
| 2173 | RETIREMENT WITHHELD | 1,942.60 | |
| 2174 | GROUP INSURANCE | 99.10 | |
| 2176 | CHRISTMAS W/H | 260.00 | |
| 2178 | CREDIT UNION | (75.00) | |
| 2179 | FICA/MED TAX WITHHELD | | |
| 2181 | LONG TERM DISABILITY | (109.06) | |
| | TOTAL ACCOUNT PAYABLES | | \$ 4,978.58 |
| | DEFERRED CREDITS | | |
| 2290 | UNDISTRIBUTED CREDITS | | |
| 2291 | DEFERRED INTEREST INCOME | 223.30 | |
| 2292 | AFFORD HSG FEES | 500.00 | |
| | TOTAL DEFERRED CREDITS | | 723.30 |
| | ADVANCES TO REVOLV FUND | | |
| 2401 | ADVANCE MA 139-001 | 5,000.00 | |
| 2402 | ADVANCE SECTION 8 | 575.68 | |
| 2403 | ADVANCE 400-01 | 8,585.00 | |
| | TOTAL ADVANCES TO REVOLV FUND | | 14,160.68 |
| | TOTAL LIABILITIES | | <u>\$ 19,862.56</u> |

SEE ATTACHED COMPILATION REPORT

**TEWKSBURY FEDERAL MA 139-1 LEDGER
BALANCE SHEET
DECEMBER 31, 2002**

ASSETS

| | | | |
|---------------------------|---------------------------------|----------------|------------------------|
| *111 CASH | | | |
| 1111 | BANKNORTH #0040651189 | | |
| 1112 | ENTERPRISE #10226861 | \$ 6,770.10 | |
| | TOTAL *111 CASH | | \$ 6,770.10 |
| ACCOUNT RECEIVABLE | | | |
| 1122 | 126 A/R TENANTS | 4,703.50 | |
| 112201 | 126.1 ALLOW DOUBT ACCTS | | |
| 1125 | 122 A/R HUD | 11,579.54 | |
| | TOTAL ACCOUNT RECEIVABLE | | 16,283.04 |
| ADVANCES | | | |
| 1155 | 144 REVOLVING FUND | 5,000.00 | |
| | TOTAL ADVANCES | | 5,000.00 |
| *131 INVESTMENTS | | | |
| 1162 | ENTERPRISE BANK #10226874 | 263,530.38 | |
| 116201 | BANKNORTH #0040651176 | | |
| | TOTAL *131 INVESTMENTS | | 263,530.38 |
| DEFERRED CHARGES | | | |
| 1210 | 142 PREPAID INSURANCE | 6,214.01 | |
| 1211 | 142 PREPAID RETIREMENT | | |
| 1212 | 142 INSURANCE DEPOSIT | 463.00 | |
| 1290 | 174 DEFERRED CHARGES | | |
| | TOTAL DEFERRED CHARGES | | 6,677.01 |
| LAND STRUCTURES EQUIPMENT | | | |
| 1404 | LAND STRUCTURES EQUIPMENT | | |
| | TOTAL LAND STRUCTURES EQUIPMENT | | 0.00 |
| FIXED ASSETS | | | |
| 1506 | 161 LAND | 1.00 | |
| 1507 | 162 BUILDING | 2,997,717.55 | |
| 1508 | 163 EQUIPMENT DWELLING | | |
| 1509 | 164 EQUIPMENT ADMIN | 37,924.46 | |
| 1510 | 165 LEASEHOLD IMPROV | | |
| 1515 | 166 ACCUM DEPRECIATION | (1,322,098.51) | |
| | TOTAL FIXED ASSETS | 1,713,544.50 | |
| | TOTAL ASSETS | | <u>\$ 2,011,805.03</u> |

Read Accountant's Compilation Report

TEWKSBURY FEDERAL MA 139-1 LEDGER
BALANCE SHEET
DECEMBER 31, 2002

LIABILITIES & SURPLUS

| | | | |
|--------|-------------------------------|----------------------|--------------------------|
| | ACCOUNTS PAYABLE | | |
| 2119 | 347 A/P REV FUND | <u>\$ (9,580.42)</u> | |
| | TOTAL ACCOUNTS PAYABLE | | \$ (9,580.42) |
| | ACCRUED LIABILITIES | | |
| 2135 | 321 ACCRUED PAYROLL | | |
| 213501 | 322 ACCRUED COMP ABSENCES | 950.39 | |
| 2137 | 333 ACCRUED PILOT | <u>8,169.48</u> | |
| | TOTAL ACCRUED LIABILITIES | | 9,119.87 |
| | DEFERRED CREDITS | | |
| 2290 | 353 DEFERRED CREDITS | <u></u> | |
| | TOTAL DEFERRED CREDITS | | 0.00 |
| | SURPLUS FRON OPERATIONS | | |
| 2802 | 504 HUD/PHA CONTRIBUTION | 1,682,752.34 | |
| 2806 | 512 RETAINED EARNINGS | <u>278,844.34</u> | |
| | TOTAL SURPLUS FRON OPERATIONS | | 1,961,596.68 |
| | CURRENT YEAR OPERATIONS | | |
| 2940 | RESIDUAL RCPTS, - DEFICIT | <u>50,668.90</u> | |
| | TOTAL CURRENT YEAR OPERATIONS | | <u>(50,668.90)</u> |
| | TOTAL SURPLUS & LIAB | | <u>\$ (2,011,805.03)</u> |

Read Accountant's Compilation Report

TEWKSBURY SECTION 8 VOUCHER
BALANCE SHEET
DECEMBER 31, 2002

ASSETS

| | | | |
|---------------------------|---------------------------------|-------------------|---------------------|
| *111 CASH | | | |
| 1111 | BANKNORTH #0220549765 V/P | \$ 9.81 | |
| 1112 | ENTERPRISE #270270 | <u>81,090.34</u> | |
| | TOTAL *111 CASH | | \$ 81,100.15 |
| ACCOUNT RECEIVABLES | | | |
| 1122 | 128 A/R BACK RENTS | 5,606.00 | |
| 112201 | 128.1 ALLOW DOUBT FRAUD | (4,619.00) | |
| 1125 | 122 A/R HUD | | |
| 1129 | 125 A/R OTHER | | |
| 112999 | 128/125 A/R MOB & FRAUD | 405.54 | |
| 1130 | 126.2 ALLOW DOUBT OTHER | <u></u> | |
| | TOTAL ACCOUNT RECEIVABLES | | 1,392.54 |
| ADVANCES | | | |
| 1155 | 144 REVOLVING FUND | <u>575.68</u> | |
| | TOTAL ADVANCES | | 575.68 |
| DEFERRED CHARGES | | | |
| 1210 | 142 PREPAID INSURANCE | 2,128.68 | |
| 1211 | 142 PREPAID RETIREMENT | | |
| 1212 | 142 INSURANCE DEPOSIT | 787.00 | |
| 1290 | 174 DEFERRED CHARGES | <u></u> | |
| | TOTAL DEFERRED CHARGES | | 2,915.68 |
| LAND STRUCTURES EQUIPMENT | | | |
| 147501 | 164 EQUIPMENT OFFICE | 1,201.16 | |
| 1515 | 166 ACCUM DEPRECIATION | <u>(1,201.16)</u> | |
| | TOTAL LAND STRUCTURES EQUIPMENT | | <u>0.00</u> |
| | TOTAL ASSETS | | <u>\$ 85,984.05</u> |

SEE ATTACHED COMPILATION REPORT

**TEWKSBURY SECTION 8 VOUCHER
BALANCE SHEET
DECEMBER 31, 2002**

LIABILITIES

| | | | |
|-----------------------------|---------------------------|----------------|---------------------|
| ACCOUNTS PAYABLE | | | |
| 2111 | 312 A/P OTHER | | |
| 2118 | 331 A/P HUD | | |
| 2119 | 347 A/P REV FUND | \$ (5,699.32) | |
| 211998 | 347 A/P SECT 8 CERT | | |
| 211999 | 312 A/P MOB CLEAR A/C | 52.00 | |
| 2135 | 321 ACCRUED PAYROLL | | |
| 213501 | 322 ACCRUED COMP ABSENCES | 69.78 | |
| TOTAL ACCOUNTS PAYABLE | | | \$ 5,577.54 |
| DEFERRED CREDITS | | | |
| 2210 | PREPAID ANNUAL CONTRIB. | 412,776.00 | |
| 2215 | HAPS A/C #4715 | (366,204.25) | |
| 2230 | CONTRA ADMIN FEE ACCOUNT | (36,200.80) | |
| 2290 | 342 UNDISTRIBUTED CREDIT | | |
| 2690 | 342 DEFER CREDIT-BK RENT | 5,606.00 | |
| 269001 | 312 CONTRA BACK RENT | (4,619.00) | |
| TOTAL DEFERRED CREDITS | | | 11,357.95 |
| EQUITY REAC | | | |
| 2806 | 512 RETAINED EARNINGS | 75,551.24 | |
| TOTAL EQUITY REAC | | | (75,551.24) |
| HUD SURPLUS MEMO ONLY | | | |
| 2810 | UNRESERVED SURPLUS | (6,189,706.44) | |
| 2826 | OPERATING RESERVE | | |
| 2827 | PROJECT ACCOUNT UNFUNDED | 223,543.29 | |
| 2840 | CUMULATIVE HUD CONTRIB. | 5,966,163.15 | |
| TOTAL HUD SURPLUS MEMO ONLY | | | 0.00 |
| CURRENT OPERATIONS | | | |
| 2940 | RESIDUAL RCPTS, - DEFICIT | 4,652.40 | |
| TOTAL CURRENT OPERATIONS | | | 4,652.40 |
| TOTAL SURPLUS & LIAB. | | | <u>\$ 85,984.05</u> |

SEE ATTACHED COMPILATION REPORT

**TEWKSBURY STATE CONVENTIONAL 400-01 HOUSING
BALANCE SHEET
DECEMBER 31, 2002**

ASSETS

| | | | |
|--------------------------|--------------------------------|--------------|------------------------|
| * 111 CASH | | | |
| 1111 | ENTERPRISE #10226890 | \$ 24,343.20 | |
| 1117 | 111 PETTY CASH | 25.00 | |
| | TOTAL * 111 CASH | | \$ 24,368.20 |
| ACCOUNT RECEIVABLES | | | |
| 1122 | 126 A/R TENANTS 667-C | 1,719.98 | |
| 112201 | 126 A/R TENANTS 705-C | 12,619.86 | |
| 1125 | 124 A/R DHCD | 46,976.26 | |
| | TOTAL ACCOUNT RECEIVABLES | | 61,316.10 |
| ADVANCES | | | |
| 1155 | 144 REVOLVING FUND | 8,585.00 | |
| | TOTAL ADVANCES | | 8,585.00 |
| INVESTMENTS | | | |
| 116201 | 131 ENTERPRISE #10226887 | 567,746.51 | |
| | TOTAL INVESTMENTS | | 567,746.51 |
| DEFERRED CHARGES | | | |
| 1210 | 142 PREPAID INSURANCE | 15,185.87 | |
| 1211 | 142 PREPAID RETIREMENT | | |
| 1290 | 175 UNDISTRIBUTED CHARGES | | |
| | TOTAL DEFERRED CHARGES | | 15,185.87 |
| DEVELOPMENT COSTS | | | |
| 1402 | DEVELOPMENT COST | 4,080,000.00 | |
| 1403 | LESS DEV COST LIQUIDATION | (171,000.00) | |
| | TOTAL DEVELOPMENT COSTS | | 3,909,000.00 |
| INVENTORY FURN/EQUIPMENT | | | |
| 140399 | INVENTORY FURN/EQUIPMENT | 240,621.61 | |
| 1406 | COMPLETED MOD COSTS | 889,393.50 | |
| 1407 | CLOSED TELLER COSTS | 12,439.00 | |
| 1408 | REOPENED 705-2 DEV | 52,070.15 | |
| | TOTAL INVENTORY FURN/EQUIPMENT | | 1,194,524.26 |
| | TOTAL ASSETS | | <u>\$ 5,780,725.94</u> |

SEE ATTACHED COMPILATION REPORT

**TEWKSBURY STATE CONVENTIONAL 400-01 HOUSING
BALANCE SHEET
DECEMBER 31, 2002**

LIABILITY & SURPLUS

| | | | |
|------|---------------------------|-------------------|------------------------|
| | ACCOUNT PAYABLES | | |
| 2111 | 312 A/P OTHER | \$ 4,062.00 | |
| 2118 | 333 A/P DHCD | | |
| 2119 | 347 A/P REVOLVING FUND | <u>(1,993.18)</u> | |
| | TOTAL ACCOUNT PAYABLES | | \$ 2,068.82 |
| | ACCRUED LIABILITIES | | |
| 2134 | 346 ACCRUED UTILITIES | | |
| 2137 | 333 ACCRUED PILOT | <u>5,500.00</u> | |
| | TOTAL ACCRUED LIABILITIES | | 5,500.00 |
| | DEFERRED CREDITS | | |
| 2290 | 342 DEFERRED CREDITS | <u></u> | |
| | TOTAL DEFERRED CREDITS | | 0.00 |
| | FIXED LIABILITIES | | |
| 2321 | GRANTS ISSUED | 3,957,794.64 | |
| 2324 | COMPLETED MOD CONTRIB. | 889,393.50 | |
| 2325 | NOTES ISSUED | | |
| 2326 | LESS: NOTES RETIRED | <u></u> | |
| | TOTAL FIXED LIABILITIES | | 4,847,188.14 |
| | SURPLUS | | |
| 2400 | VALUATION OF FIXED ASSETS | 240,621.61 | |
| 2460 | GIFTS & DONATIONS | 12,439.00 | |
| 2560 | 512 SPECIAL PURPOSE RESV | 282,680.94 | |
| 2590 | 512 RETAINED EARNINGS | 316,243.48 | |
| 2700 | NET INCOME (DEFICIT) | <u>73,983.95</u> | |
| | TOTAL SURPLUS | | <u>925,968.98</u> |
| | TOTAL LIABILITY & SURPLUS | | <u>\$ 5,780,725.94</u> |

SEE ATTACHED COMPILATION REPORT

TEWKSBURY STATE CONVENTIONAL 400-01 HOUSING
BALANCE SHEET
SUBSIDIARY SCHEDULE
DECEMBER 31, 2002

| | | <u>Current</u> | <u>Balance</u> |
|--------|--------------------------|---------------------|----------------------|
| 140399 | INVENTORY FURN EQUIPMENT | | |
| 140410 | 163 MGMT DWELLING EQUIP | \$ (882.00) | \$ 83,857.64 |
| 140471 | 164 MGMT OFFICE EQUIP | 6,248.05 | 31,064.20 |
| 140472 | 164 MGMT MAINT EQUIP | 23,110.00 | 58,547.00 |
| 140473 | 164 MGMT COMM RM EQUIP | | |
| 140477 | 164 MGMT AUTO EQUIP | | 61,152.77 |
| | TOTAL | <u>\$ 28,476.05</u> | <u>\$ 240,621.61</u> |
| | | | |
| 1408 | REOPENED 705-2 DEV | | |
| 140810 | 141016 ADMIN | | \$ 1,529.75 |
| 140811 | 141011 TITLE INSURANCE | | 540.00 |
| 140814 | 141014 LEGAL FEES | | 1,650.00 |
| 140833 | 143003 SURVEY | | 250.00 |
| 140843 | 144003 ACCRUED TAXES | \$ (131.38) | 1,911.40 |
| 140845 | 144005 RECORDING FEES | | 189.00 |
| 140860 | 1460 DWELLING | | 46,000.00 |
| | TOTAL | <u>\$ (131.38)</u> | <u>\$52,070.15</u> |

SEE ATTACHED COMPILATION REPORT

TEWKSBURY FEDERAL MOD PROGRAMS
BALANCE SHEET
DECEMBER 31, 2002

ASSETS

| | | | |
|--------|---------------------------|--------------|---------------------|
| | CASH | . | |
| 1112 | *111 CASH | | |
| | TOTAL CASH | | \$ 0.00 |
| | ACCOUNT RECEIVABLES | | |
| 1125 | 122 A/R HUD | | |
| 1129 | 125 A/R OTHER | | |
| 112901 | 144 A/R MA 101-IC | | |
| | TOTAL ACCOUNT RECEIVABLES | | 0.00 |
| | DEFERRED CHARGES | | |
| 1290 | 167 WORK IN PROCESS | | |
| | TOTAL DEFERRED CHARGES | | 0.00 |
| | FIXED ASSETS | | |
| 1506 | 161 LAND | | |
| 1507 | 162 BUILDING | \$ 83,965.60 | |
| 1508 | 163 EQUIPMENT DWELLING | | |
| 1509 | 164 EQUIPMENT ADMIN | | |
| 1510 | 165 LEASEHOLD IMPROV | | |
| 1515 | 166 ACCUM DEPRECIATION | (4,203.60) | |
| | TOTAL FIXED ASSETS | | 79,762.00 |
| | CONTRACT REGISTER | | |
| 1801 | A/E COOK A/C 140030 | | |
| 1802 | ACCURATE PAVING 140050 | | |
| 1851 | A/E COOK A/C 140030 | | |
| 1852 | ACCURATE PAVING 140050 | | |
| | TOTAL CONTRACT REGISTER | | 0.00 |
| | TOTAL ASSETS | | <u>\$ 79,762.00</u> |

Read Accountant's Compilation Report

TEWKSBURY FEDERAL MOD PROGRAMS
BALANCE SHEET
DECEMBER 31, 2002

LIABILITY & SURPLUS

ACCOUNT PAYABLE

| | | | |
|-----------------------|------------------|-----------|-----------|
| 2111 | 312 A/P OTHER | | |
| 2112 | 312 RETENTIONS | | |
| 2118 | 331 A/P HUD | | |
| 2119 | 347 A/P REV FUND | \$ (0.40) | |
| 211901 | 347 A/P MA 139-1 | | |
| TOTAL ACCOUNT PAYABLE | | | \$ (0.40) |

OTHER DEFERRED CREDITS

| | | | |
|------------------------|----------------------|--|------|
| 2290 | 353 DEFERRED CREDITS | | |
| TOTAL DEFERRED CREDITS | | | 0.00 |

EQUITY

| | | | |
|---------------------------|--------------------------|-----------|---------------------|
| 2700 | NET INCOME, - DEFICIT | | |
| 2802 | 504 HUD/PHA CONTRIBUTION | | |
| 2806 | 512 RETAINED EARNINGS | 14,136.40 | |
| 280601 | 512 R/E CIAP 99 | 65,626.00 | |
| TOTAL SURPLUS | | | 79,762.40 |
| TOTAL LIABILITY & SURPLUS | | | <u>\$ 79,762.40</u> |

Read Accountant's Compilation Report

TEWKSBURY FEDERAL MOD PROGRAMS
BALANCE SHEET
SUBSIDIARY SCHEDULE
DECEMBER 31, 2002

| | | <u>Current</u> | <u>Balance</u> |
|--------|----------------------------|----------------|--------------------|
| 1400 | CIAP 902-99 \$ 69,081 | | |
| 140010 | 1410 ADMINISTRATION | | |
| 140030 | 1430 A/E COOK | | \$ 6,310.00 |
| 140050 | 1450 ROAD WORK | | 62,771.00 |
| 140099 | CLOSED HARD COST | | <u>(69,081.00)</u> |
| | TOTAL | <u>\$ 0.00</u> | <u>\$ 0.00</u> |
| | | | |
| 1401 | CAPITAL FUND 2000 \$16,605 | | |
| 140110 | 1410 ADMINISTRATION | | |
| 140130 | 1430 A/E FEES & COST | | \$5,405.60 |
| 140150 | 1450 ADDL ROAD/PARKING | | 9,479.00 |
| 140199 | CLOSED HARD COST | | <u>(14,884.60)</u> |
| | TOTAL | <u>\$ 0.00</u> | <u>\$ 0.00</u> |
| | | | |
| 1402 | CAPITAL FUND 2001 \$16,926 | | |
| 140210 | 1410 ADMINISTRATION | | |
| 140230 | 1430 A/E FEES | | |
| 140250 | 1450 ADDL ROAD & PARKING | | |
| 140299 | CLOSED HARD COST | | |
| | TOTAL | <u>\$ 0.00</u> | <u>\$ 0.00</u> |

Read Accountant's Compilation Report

**TEWKSBURY 689-1 GERRY DEVELOPMENT
BALANCE SHEET
DECEMBER 31, 2002**

ASSETS

| | | | |
|--------|---------------------------|---------------------|----------------------|
| | CASH | | |
| 1111 | ENTERPRISE BANK #10226829 | <u>\$ 71,199.06</u> | |
| | TOTAL CASH | | \$ 71,199.06 |
| | DEVELOPMENT COSTS | | |
| 140201 | DEV COST CLOSED | 559,673.76 | |
| 140250 | INVENTORY EQUIPMENT | <u>2,369.99</u> | |
| | TOTAL DEVELOPMENT COSTS | | <u>562,043.75</u> |
| | TOTAL ASSETS | | <u>\$ 633,242.81</u> |

LIABILITY SURPLUS

| | | | |
|------|---------------------------|----------------------|----------------------|
| | ACCOUNT PAYABLE | | |
| 2119 | REVOLVING FUND | <u>\$ (2,658.61)</u> | |
| | TOTAL ACCOUNT PAYABLE | | \$ (2,658.61) |
| | ACCRUED LIABILITIES | | |
| 2137 | PAYMENT IN LIEU OF TAXES | <u>440.00</u> | |
| | TOTAL ACCRUED LIABILITIES | | 440.00 |
| | FIXED LIABILITIES | | |
| 2320 | GRANTS ISSUED | <u>559,673.76</u> | |
| | TOTAL FIXED LIABILITIES | | 559,673.76 |
| | SURPLUS | | |
| 2400 | VALUATION FIXED ASSETS | 2,369.99 | |
| 2460 | GIFTS & DONATIONS | 2,022.52 | |
| 2590 | OPERATING RESERVE | 65,647.20 | |
| 2700 | NET INCOME (DEFICIT) | <u>5,747.95</u> | |
| | TOTAL SURPLUS | | <u>75,787.66</u> |
| | TOTAL LIABILITY & SURPLUS | | <u>\$ 633,242.81</u> |

SEE ATTACHED COMPILATION REPORT

TEWKSBURY 689-1 GERRY DEVELOPMENT
BALANCE SHEET
SUBSIDIARY SCHEDULE
DECEMBER 31, 2002

| | <u>Current</u> | <u>Balance</u> |
|---------------------------------|----------------|--------------------|
| 140250 INVENTORY EQUIPMENT | | |
| 140410 1465.1 DWELLING EQUIP | | |
| 140471 1475.1 MGMT OFFICE EQUIP | | \$ 407.99 |
| 140472 1475.2 MGMT MAINT EQUIP | | |
| 140473 1475.3 COMM ROOM EQUIP | | |
| 140477 1475.7 MGMT AUTO EQUIP | | 1,962.00 |
| | | |
| TOTAL | <u>\$ 0.00</u> | <u>\$ 2,369.99</u> |

SEE ATTACHED COMPILATION REPORT

**TEWKSBURY 689-2 DMR DEVELOPMENT
BALANCE SHEET
DECEMBER 31, 2002**

ASSETS

| | | | |
|--------|---------------------------|---------------------|----------------------|
| | CASH | | |
| 1111 | ENTERPRISE BANK #10226832 | <u>\$ 88,010.81</u> | |
| | TOTAL CASH | | \$ 88,010.81 |
| | DEVELOPMENT COSTS | | |
| 140201 | DEV COST CLOSED | 547,955.50 | |
| 140250 | INVENTORY EQUIPMENT | <u>2,307.69</u> | |
| | TOTAL DEVELOPMENT COSTS | | <u>550,263.19</u> |
| | TOTAL ASSETS | | <u>\$ 638,274.00</u> |

LIABILITY & SURPLUS

| | | | |
|------|---------------------------|----------------------|----------------------|
| | ACCOUNT PAYABLE | | |
| 2119 | REVOLVING FUND | <u>\$ (4,821.40)</u> | |
| | TOTAL ACCOUNT PAYABLE | | \$ (4,821.40) |
| | ACCRUED LIABILITIES | | |
| 2137 | PAYMENT IN LIEU OF TAXES | <u>440.00</u> | |
| | TOTAL ACCRUED LIABILITIES | | 440.00 |
| | FIXED LIABILITIES | | |
| 2320 | GRANTS ISSUED | <u>547,955.50</u> | |
| | TOTAL FIXED LIABILITIES | | 547,955.50 |
| | SURPLUS | | |
| 2400 | VALUATION FIXED ASSETS | 2,307.69 | |
| 2590 | OPERATING RESERVE | 84,669.23 | |
| 2700 | NET INCOME (DEFICIT) | <u>7,722.98</u> | |
| | TOTAL SURPLUS | | <u>94,699.90</u> |
| | TOTAL LIABILITY & SURPLUS | | <u>\$ 638,274.00</u> |

SEE ATTACHED COMPILATION REPORT

TEWKSBURY 689-2 DMR DEVELOPMENT
BALANCE SHEET
SUBSIDIARY SCHEDULE
DECEMBER 31, 2002

| | <u>Current</u> | <u>Balance</u> |
|---------------------------------|----------------|-------------------|
| 140250 INVENTORY EQUIPMENT | | |
| 140471 1475.1 MGMT OFFICE EQUIP | | \$ 345.69 |
| 140472 1475.2 MGMT MAINT EQUIP | | |
| 140473 1475.3 COMM ROOM EQUIP | | |
| 140477 1475.7 MGMT AUTO EQUIP | | 1,962.00 |
| | | <hr/> |
| TOTAL | <hr/> \$ 0.00 | <hr/> \$ 2,307.69 |

SEE ATTACHED COMPILATION REPORT

Parking Clerk

A hearing on any parking violation may be obtained upon the written request of the registered owner of the vehicle, as stated on the parking violation notice.

Year 2002 Fines collected and deposited with the Town Treasurer - \$28,574.54

Parking Ban (Overnight-Inclement Weather) Town By-Law 8.24.010

It shall be unlawful for any vehicle, other than one acting in an emergency, to be parked on any street from 12:00 (Midnight) to 6:00 AM. This shall take effect on November First of each year and end on March Thirty-First. (A fine of \$10.00 will be imposed for a violation of this Section).

It shall be unlawful for any vehicle, other than one acting in an emergency, to be parked on any street, day or night, when it is snowing or when icy conditions exist. (A fine of \$10.00 will be imposed for a violation of this Section).

Any vehicle, other than one acting in an emergency, parked, day or night, on any street in the Town, so as to interfere with the work of removing or plowing snow, removing ice, or sanding the street, may be removed or towed away, at the sole expense of the registered owner of said vehicle, under the authority and direction of the Superintendent of the Department of Public Works to a public garage or any convenient place. The Superintendent of the Department of Public Works shall within a reasonable time, notify the Chief of Police of the removal of any such vehicle and of the place to which it has been removed, and the Chief of Police shall give like notice to the registered owner of the vehicle.

Vehicles so towed away shall be stored in a safe place and restored to the registered owner thereof upon proper identification and full payment, to the Town or to the Keeper of the place of storage, for the expenses incurred in such removal and storage. Inquiries, about vehicles so towed away, shall be made at the Police Station. This allows easy and uninterrupted access for the fire, police, school buses, snowplows, sanders, and other emergency vehicles.

Effective January 2000 unauthorized parking in a designated handicap parking area will carry a violation fine of \$100.00 and parking in a fire lane will carry a violation fine of \$100.00.

TEMPORARY HANDICAPPED PARKING PLACARD/PERMIT. (Town By-Law 8.24.020)

Any motor vehicle bearing a handicapped parking permit, a Temporary Handicapped Parking Placard/Permit, or a motor vehicle Registration Plate designating the vehicle as one used by a handicapped person, shall be authorized to park in a designated handicapped parking space. The Town Clerk may issue a Temporary Handicapped Parking Placard/Permit to any Tewksbury resident upon application and with a supporting letter signed by a licensed physician designating the applicant as physically handicapped. The temporary HANDICAPPED PARKING Placard/Permit shall be issued with an expiration date not to exceed 180 days from the date of issue and shall be displayed so as to be visible through the left portion of the front windshield of any vehicle parked in a designated Handicapped Parking Space. The Temporary Handicapped Parking Placard/Permit will be mutually honored by the Towns of Billerica, Chelmsford, Dracut, Tewksbury, Tyngsboro, Westford, and the City of Lowell. For further information pertaining to the Temporary Handicap Parking Permits please notify the Town Clerk's Office at 640-4355.

Respectfully submitted,
Elizabeth A. Carey, CMC, CMMC
Town Clerk - Parking Clerk

Town Clerk

TOWN STATISTICS

| | 2002 | 2001 |
|------------|--------|--------|
| Population | 29,960 | 29,770 |
| Licenses - | | |
| Dogs | 1858 | 1741 |
| Sporting | 375 | 476 |

FINANCIAL 1/1/2002 - 12/31/2002

| | |
|---------------------------------|-------------|
| Fees to Town Treasurer | \$33,398.58 |
| Dog Fees to Treasurer | 22,799.00 |
| Sporting Licenses to State | 11,025.25 |
| Parking Fines to Town Treasurer | 28,574.54 |
| TOTAL | \$95,797.37 |

VITAL STATISTICS

| | As of 12/31/2002 | |
|-----------|------------------|------|
| | 2002 | 2001 |
| Births | 293 | 318 |
| Marriages | 140 | 151 |
| Deaths | 241 | 258 |

Chapter 45, Section 15 of the Massachusetts General Laws: The Town Clerk will furnish blanks for the return of Births to parents, householders, physicians and registered hospital medical officers applying therefor.

The Town Clerk holds office hours Monday through Friday from 8:30 a.m. to 4:30 p.m., and Tuesday evenings from 7:00 p.m. to 8:30 p.m.

Respectfully submitted,
Elizabeth A. Carey, CMC, CMMC
Town Clerk

E911 DISABILITY NOTIFICATION FORM

This notification will provide additional information to the Public Safety Officials so they will be better prepared to serve you.

ALERTING PUBLIC SAFETY OFFICIALS: POLICE, FIRE & AMBULANCE SERVICE

You or any individual residing at your address who communicates over the phone by a TTY and/or has a disability that may hinder evacuation or transport, may request an E911 Disability Notification Form from the Town Clerk's Office by calling 640-4355, Monday-Friday, 8:30 AM to 4:30 PM.

Veterans' Services

OFFICE HOURS ARE MONDAY THROUGH FRIDAY
8:00 A.M. - 4:30 P.M.

The Veterans' Services Department has again been active in helping the Town's veterans, not only with financial support to those veterans needing assistance, but also with advice and administrative support in interpreting and filling out the sometimes complex state and federal veterans' forms. In 2002 the Federal Government expanded veterans' benefits offering a wider range of prescriptions and medical care to the veteran. The cost basis was realigned increasing prescriptions from \$2 to \$7 for a 30 day supply and medical services were lowered from \$50 a visit to \$15 for many walk-in outpatient services. This greatly increased the number of veterans applying at this office for VA Hospital services. On the state level your Veterans' Service Officer as a member of both the MVSOA Executive Board and the Veterans' Advisory Board has worked hard to get legislation passed improving the definition of a veteran and securing better benefits for veterans. The Veterans' Service Officer acts as an ombudsman - preparing federal requests for disability, securing medical records of the individuals concerned, and attending their disability hearings and/or appeals. The Veterans' Service Officer has represented the Town at several patriotic occasions, including Veterans' Day and Memorial Day.

The Town of Tewksbury has an estimated veteran population of about 7,000. They receive approximately \$2,300,000 in aid from the federal government and \$32,000 in state annuities in addition to the normal veterans' benefits. This is money brought into our community and for the most part spent locally.

The Department of Veterans' Services continues to offer to the veteran and his dependents, or the widows of veterans, services in a wide range of categories, such as:

| | |
|------------------------------------|----------------------------|
| VA Pension Compensation | Grave Markers |
| Hospitalization (in & out patient) | Social Security Assistance |
| Burial Allowance | Disability Assistance |
| Drug & Alcohol Treatment | Industrial Accident Cases |
| Educational & Vocational Training | Retirement Matters |
| Copies of Discharges (DD-214) | Military Records |

The Department of Veterans' Services does not stand alone in serving the Town's veterans, but works with the other Veterans'; and Fraternal Organizations of the Town. I would like to thank them all for their time, efforts and contributions. Special thanks should also go to the Town Manager, Board of Selectmen and other Town Departments for their help in making this a town where the veteran is well served.

Respectfully submitted,
Ellsworth K. Hart
Director, Veterans' Services

Public Works

In the year 2002, there were many improvements made to the streets in town in keeping with our pavement management program. We have also completed several projects in town like the Emergency Access Road between Shawsheen Street and Regina S. Drive; new culvert on Shawsheen Street at Strong Water Brook; a new sidewalk by Walgreens from South Street to the Wilmington line; new water main installed on Rogers Street and Anthony Road and the Livingston Street Project by Eagles Landing. For the upcoming year we will strive to maintain all services provided to the residents of Town and assist any residents with any problems that they may encounter.

The following are additional accomplishments of the DPW and staffing:

| <u>Administration</u> | <u>Service Date</u> | | |
|--|---------------------|------------------------------|------|
| William R. Burris, Jr., Superintendent | 1978 | Kevin Conlon | 1984 |
| Linda Monahan | 1983 | Kenneth Layne | 2001 |
| Sue Patterson | 2001 | Stephen VonKahle | 2000 |
| | | <u>Water/Sewer</u> | |
| <u>Highways</u> | | William Wilkinson | 1966 |
| Robert Belida | 1983 | George DeRoche | 1972 |
| Lawrence Kane | 1984 | Richard Westaway | 1972 |
| Ernest Lightfoot | 1972 | Jack Ward | 1984 |
| James Lightfoot | 1984 | Brian Gath | 1985 |
| Richard Stoddard | 1982 | Kenneth Chandler | 1998 |
| Timothy Stronach | 1985 | | |
| Michael Peters | 1987 | <u>Water Treatment Plant</u> | |
| Bernard Marion | 2000 | Lewis Zediana | 1988 |
| Louis Marion | 2002 | Ed Viewig | 1988 |
| | | John Salerno | 1989 |
| <u>Vehicle Maintenance</u> | | Michael Donovan | 1994 |
| Royal Hudson | 1986 | Erik Gitschier | 1999 |
| Larry Gilbert | 2001 | Robert Minor | 1999 |
| Mark Wood | 2002 | Frank Giannetti | 1985 |
| | | Matt Hirtle | 2002 |
| <u>Parks/Tree</u> | | | |
| William Chandler | 1976 | | |
| Connie Barry | 1984 | | |
| Robert Nolan | 1986 | | |

Street Opening Permits 2002

| | |
|---------------|-----|
| Gas Permits | 125 |
| Water/Misc. | 12 |
| Sewer | 09 |
| State Permits | 06 |
| Miscellaneous | 7 |
| TOTAL | 159 |

Sewer Permits Issued 188

Streets Paved

Hemlock Road, Melrose Ave, Pond Street, Bailey Road, Overlook Drive, Dike Court, Greylock Road, Heath Street, Coolidge Street, School Street, Baystate Road and also installed 34 lips on various driveways throughout the Town.

Street Sweeper

Lloyd Road, Pupkis Road, Westland Drive, Van Buren Road, Lincoln Road, O'Loughlin Dr., Breckenridge Road, Rebecca Lane, Andover Street, Hillside Road, Autumn Lane, Patten Library, Carth Path Road, Hoover Road, South St. (section), Bridge

Street, Pond Street, Baystate Road, School Street, Heath Street, Coolidge Street, Town Hall area, Dike Court, Overlook Drive Greylock Road and Bailey Road.

Streets that were graded:

Cobbett Street, Erica Lane, Martel Lane, Old Stagecoach Road, Rosewood Ave, Taft Road, Ellis Ave, Shawsheen Ave, Rice Road, Johnson Road, Dock Street, section of Florida Road, Saville Street, Dalton Street and Carver Street.

Culverts, Drainline, and Headwalls (cleaned/repared/replaced).

Foster, Road, Farwood Road, Chapman Road, Mill Street, Bridge Street, River Road, Hillside Road, Pleasant Street, Brook Street, Chandler Street, Livingston Street, Brentwood Road, Campbell Circle, Astle Street (replaced), and Kendall Road (replaced).

Catch Basins/Pipes Installed

South Street, (2) Salem Road, Grasshopper Lane, (2) Oakland Ave, Pine Street, McKenzie Circle, River Road, Marshall Street and Vernon Street.

Catch Basin Repairs:

South Street, Chapman Road, Astle Street, (3) Country Club Drive, Ellington Road, Livingston Street, Dike Court, Beech Street, (2) Whipple Road, Overlook Drive, North Street, Shawsheen Street (manhole), South Street (manhole), William G. Drive, Moonlight Drive, Helvetia Street, Newton Terrace, Clark Road, Bligh Street and Quincy Road.

Berm Repaired and Replaced:

Whipple Road, Eastgate Road, and two sections of South Street.

Catch Basins/Manholes Cleaned (private contract):

348 structures cleaned during August through early November 2002 on request from residents throughout Town.

Traffic/Street Signs & Lines:

Paint 34 crosswalks; 56 stop lines; installed (25) traffic delineators, (135) street signs & stop signs were repaired or replaced along with maintaining the weekly postings on the Town Message Board.

Special Projects (carpentry, masonry, manpower requests):

South Fire Station flagpole/fence installation, Veranda Ave (Board of Health), Boisvert Road, Melim Drive lightpole, Food Pantry parking, Marston/Whipple Road intersection, salt shed electrical upgrade, assisted painting of Town Bandstand, Brook Street resident, DPW Parking areas upgrade and construction of material enclosures (per EPA guidelines), weekly inspections for Beaver related issues.

Services, equipment and manpower rendered to the following agencies:

Town Manager's Office, Board of Selectmen's Office, Town Clerk's Office, Police Department detective bureau, Fire/Civil Defense, Assessor's Office, Administrative Services Office, Treasurer's Office, Collector's Office, Media Specialist, Water Treatment Plant, Patten Library, Board of Health Director's Office, Community Development Office, Building Commissioner's Office, Senior Center, Housing Authority, School Department, DPW Superintendent's Office and DPW hallway renovations.

New Water Services installed in 2002

| | |
|-------------------------------------|-----------|
| New Water Services Installed | 74 |
| New Meters Installed | 72 |
| Replacement Meters Installed | 42 |
| Total Hydrant checks & repairs made | 37 |
| Total new Hydrants Installed | 13 |
| Total Main & Service Leaks repaired | 38 |
| Total Mains completed in year | 1.6 miles |
| Total Back Flow Devices tested | 325 |

Vehicles Maintained

Police
Dog Officer
Civil Defense
Auxiliary Police
Community Action Committee

| | |
|--------------------------|-------|
| Christmas Trees Recycled | 227 |
| Recycling Bins Sold | 200 |
| Oil Recycled | 2,401 |

Our best wishes go to Lorraine Cuskey, James Nolan, James Shimkus, Al Richards and Al MacGilvray with their recent retirement. Also our best wishes to Tom Fiorello, Town's Engineer who moved to Reno, Nevada.

In closing, I would like to thank the entire Public Works Staff for their continued efforts and support to provide the best services to the residents of the Town of Tewksbury.

Respectfully submitted,
William R. Burris, Jr.,
Superintendent of Public Works

COMMUNITY ACTIVITIES

*Library Trustees
Recycling Committee*

Council on Aging

*Recreation Department
Historical Commission & Historical Society*

Library Trustees

*Board of Library Trustees
2002-2003*

Kevin Comtois, Chairman

Joan Dunlevy

Karen Lu

Mary MacDonald

Janet Sutton

Hope Trzcinski (*resigned, 12/31/2002*)



During the past year, the Library Trustees have studied the library's services and organizational structure. The results were formulated into a five-year strategic plan that was submitted to the Massachusetts Board of Library Commissioners in October 2002. One of the components of our long-range plan is a major upgrade to the public library computer system. The trustees acknowledge the hard work and dedication of a Technology Committee that worked for eight months to formulate recommendations for library technology. Serving on the committee were

the following individuals: Peter Orio, Steve Hattori, Paul Salvato, Jan Sutton and Joyce Salvato. As we prepare to celebrate the fourth anniversary of the opening of the "new" public library, we are mindful of the need to maintain currency in our equipment as well as in our services, programs, and materials.

Another component of the long-range plan is a commitment to protect the library's considerable assets through disaster planning. Under this construct, we will evaluate potential vulnerabilities and create a plan to deal with disasters such as fire, flooding, or hurricanes.

A third major long-range goal is an evaluation of our staffing structure to ensure well-trained personnel are available to deliver a wide-range of library services. We hope to build into our organizational structure more opportunities for career advancement, fair and equitable salaries and wages, educational incentives, and more in-depth continuing education and in-service training.

Each of the library's departments achieved high-ratings during the year for their accomplishments. Our Young Adult Librarian, Elizabeth Berlik, introduced new initiatives in programming and services aimed at teenagers. In the Children's Department, Librarian Noelle Couture and Specialist Karen Grasso expanded the public library's outreach services to the public schools and expanded our monthly book discussion groups. Tech Services Librarian Bridget Lonergan has expanded the library's collection of non-print materials during the past year, by including books on CD in addition to the more traditional books on tape, and by including DVDs in addition to VHS tapes. Our collection of music CDs continues to grow also. Our Local History Room has in-depth resources for local history and genealogy due to the efforts of Reference Librarian Christine Lower.

The public library's meeting rooms are well used by our residents. Clubs and non-profit organizations can call the library (978.640.4490 x201) to inquire about availability. Our first floor meeting room, which seats 100, is frequently used by Town departments for continuing education and training sessions, as well as by Town boards and commissions for public hearings. On the second floor, the Trustees' Conference Room can be used by small groups. Also on the second floor, we have four study rooms that can be booked in advance.

Tewksbury's public library is one of thirty members of the Merrimack Valley Library Consortium. Using Internet access from home, library users are able to place their own reserve requests for library materials and to view their accounts. Library holdings can be viewed through the consortium's on-line catalog. Overdue notices and reserve notices can be sent through e-mail to library users. There are links between MVLC's web-site (www.mvvlc.org) and the library's own frequently updated web-site, www.tewksburypl.org, where local residents can find a wealth of information about the library and its resources, including upcoming events for both children and adults, important notices and library news. From our Reference Department's page, library users can e-mail questions to the Reference Desk or access on-line Reference Help 24/7 through our affiliates. Also from the Reference Department's web page, local teachers can send us a Homework Alert that allows us to gather appropriate resources for school assignments. From the Children's Room's web page, schedules for story hours, craft programs, book discussion groups and other activities and resources can be easily accessed. We provide booklists for both pleasure reading as well as school assignments, and links to recommended children's literature sites. Our Teen Page offers Homework Help, College Resources, book lists and Frequently Asked Questions. New materials at the library are processed through our Technical Services Department, which posts a monthly list of newly acquired books as well as a link to the current New York Times Best Sellers list. Our Circulation Desk is represented on the site with library registration and use guidelines, information about our museum pass program, hours of service and directions, and other general information.

We appreciate the efforts of all members of the library staff who are responsible for the actual delivery of library services.

| | |
|------------------------------|---------------------|
| Library Director | Elisabeth Desmarais |
| Reference Librarians | Elizabeth Berlik |
| | Christine Lower |
| Technical Services Librarian | Bridget Loneragan |
| Children's Librarian | Noelle Couture |
| Children's Specialist | Karen Grasso |
| Technology Specialist | Joyce Salvato |
| Executive Secretary | Mary Toombs |
| Administrative Secretary | Rosemary Titus |

and the members of our support staff:

| | |
|---------------------|-----------------|
| Judy Bangs | Mary Kutcher |
| Christine Blaisdell | Jamie Lightfoot |
| Marilyn Fowler | Jennifer Newton |
| Gail Holland | Joanne Toppin |

Our front desk employees are our greatest source of strength. We deeply appreciate their unflagging devotion to their jobs and their enthusiastic promotion of books and reading. Two long-time library employees retired during the year, Frances Moore and Elinor Haines. The library trustees extend our best wishes to these employees.

John Crowe provides custodial and maintenance services at the public library. Our evening maintenance worker is Dennis Maffeo. In addition to our full-time staff, we would like to express our appreciation to our high school pages.

The trustees have worked for the past several years revising policies in accordance with the expanded plan of service that the new facilities will allow us to implement. Services will continue to evolve as new staff positions are added. Our long-range planning process will continue to provide the strategic and tactical guidelines for providing optimum services and resources for the Town's residents. The Library Trustees invite local residents to attend our monthly meetings. At these meetings, the six elected Trustees deal with policies and goals for the library. The trustees encourage local residents who have not yet visited the new library to stop in for a visit and to make use of its collections, services and special programs

At A Glance

| | |
|-------------------------------------|-----------|
| FY 2002 total expenditures | \$952,554 |
| State Aid received | \$37,283 |
| Spent on books & other materials | \$126,954 |
| Number of registered borrowers | 23,990 |
| Number of items checked out in 2002 | 191,000 |
| Reference questions answered | 11,500 |

Library Hours:

Monday - Thursday 9 a.m. - 9 p.m.
Friday & Saturday 9 a.m. - 5 p.m.

Telephone 978.640.4490
Circulation ext. 202
Reference ext. 207
Children's Room ext. 204

Web-sites www.tewksburypl.org
www.mvlc.org

Council On Aging

"Our lives are like fleeting moments in the history of time..."

Over the past year of 2002 we are pleased to report that all went well. We survived the effects of September 11, 2001 and held life a little dearer while our hearts pained for those who suffered. We reveled in the renewed spirit of America and Americans; and, like all Americans we were more appreciative of life and its fleeting moments.

Although numbers count and you, the tax payer, deserve to see the progress of our department in statistical data, I am compelled to give you a different type of report this year. Those of you who would like a more formal report may call the Council on Aging office and our staff will furnish you with such a report.

But for now, I would like to tell you about some of the people who participated at the Senior Center keeping in mind that each of these people passed away during the year. Each story will convey to you just how much **YOU** contributed to the last days of their lives by providing them a haven...a safe and warm place to share...to work...and to contribute to their community.

Early on in the year Dorothy DeMarais passed away. Although she had had a stroke, Dotty would accompany her husband to the Senior Center and visit with her friends. Dotty was a long time resident of Tewksbury and may even have been what people call "a townie". She was retired from the Tewksbury school system and worked in the school cafeterias for many years. Upon retiring, Dotty started coming to the Senior Center. She soon began to volunteer at the front desk answering calls on Thursday mornings. On Wednesdays one would find her doing arts and crafts projects for the Fall Fair. One would also find her working at the ham and bean suppers which were held some years back.

Spring brought the passing of Council Member Jim Mendonca. Jim was brought up in the Fall River area of the state and later moved to Tewksbury with his bride. He was very active in the community and at the Tewksbury Food Pantry. Jim was on dialysis during the last year of his life and drove himself to treatments each week. He always had an optimistic view of life. During the Senior softball season, you would find him down at Memorial Field on Livingston Street or on the road with the team acting as its scorekeeper.

Springtime also took another one of our Seniors, Bob Maher. Bob was a tall and lanky gent with a heart as large as he was tall. He had a bout with cancer and had difficulty communicating. He also sported a cane due to back problems. Yet, one would find him helping the maintenance man polish the floors of the Senior Center on off hours. Bob retired from another school system and had put many years in as a school custodian so his advise was one of experience. As the years flew by, Bob's health failed but he still came to the Senior Center to visit and would attend monthly dances with his wife.

Another Senior who would leave in the early part of the year was Ann Grant. Ann was 86 years old. In her younger years she was a secretary and a restaurant owner. She moved to Tewksbury quite by accident. One Sunday she and her husband took a ride and ended up in this quaint little town called Tewksbury. Impressed with Tewksbury and its small town atmosphere, they decided to move from the city and raise their family here. It would be many years from that first encounter with Tewksbury that

Ann would visit the Senior Center. When she did, she was widowed and her children were grown and on their own journeys of life. I can't remember her first visit but I can remember all the days after. Ann had an ardent interest in the Senior Center and could be found helping out with almost every aspect of the Center's functions. She was a receptionist on Wednesday afternoons, a server at the Sunday Breakfast Benefits, the person in charge of the bake table at yard sales, a kitchen worker during the days of our SHARE Program, an office helper, an all around "hands on" volunteer worker and a dear friend to the staff and her fellow Senior Citizens. When people visited her during her last days, Ann would ask how everyone was and wanted to know everything that was going on at the Center. She would talk about getting better and returning to work...to her second home and family.

In June of 2002, Mary Ann Wareham left us quite unexpectedly. Mary Ann was originally from New York and Vermont. At an early age of 21 she lost her leg in a boating accident. But that didn't stop Mary Ann. In Vermont she was the first woman with an artificial leg to receive a medal for her accomplishments in skiing. As the years passed Mary Ann would become a history teacher, raise two families and pursue a career in fund raising with Catholic Charities. The last venue for her expertise and energy was here at the Senior Center. Under her direction and guidance, our Senior Citizens took on programs such as the town SHARE Program (formerly SERVE) a program that helped all town residents stretch their food dollars. She also initiated the major fundraising activities of the Friends of the Elderly: the Annual Auction, the Golf Connection Tournament...connecting generations, the publication of the Senior's Cook Connection Cookbook; and the "Tree of Life" which is mounted in the lobby of the Senior Center and is made up of hundreds of engraved leaves noting many good wishes and the names of those we hold dear. In her last year, Mary Ann was appointed to the Senior Center Building Committee. In fact several days before she passed away she was on the road visiting Senior Centers designed by those architects who were being interviewed for the Senior Center Expansion Project.

Just before Christmas one of the Senior's most active advocates, Susan Sullivan, passed away. Sue was originally from the farm lands of Canada. She moved to Tewksbury in her young adulthood. Here she met her husband, settled down and became a citizen of the United States. She had been a Council on Aging member for the last 20 plus years holding the Chairmanship for over a decade. During her years on the Council, Sue was active in organizing the affairs of the department and took on many of the "behind the scene" tasks. Sue's last years found her battling Parkinson's Disease. However, she was a tough little lady full of energy and spirit (often referred to as a spitfire) and she held both her seat on the Council and the Tewksbury Board of Health until the day she died. Events at the Senior Center which Sue loved to plan were Vegas Nights and Fall Hay Rides. She was always there to lend a helping hand and to comfort our Seniors.

On Christmas Eve day we found ourselves attending services for Jeanne Harrington. Jeanne moved here from Malden in 1995 and became very active at the Senior Center. Jeanne became one of our photographers taking pictures of our events. She also shared her humor with the many Seniors who frequented the Senior Center. You would always see her dress in costume for the Halloween parties adding a flair to the event. Like many of our Seniors, Jeanne brought her family along with her and we got to see her grandchild grow from toddlers to little people! Jeanne lost both her husband and her son prior to coming to Tewksbury, so the Senior Center filled a void in her life as it does for many of our elderly.

The last person who we recently lost was Joe St. Hilaire. Joe was in his late eighties and prior to his recent illness was very active at the Senior Center. He was an original on the softball team back when it was for the fun of playing the town officials during Homecoming Weekend. You would find Joe walking with the "Smile-a-Mile" Senior walkers and attending walking rallies throughout the state. You would also find him participating and decorating the Senior parade floats, helping out at all the fundraising events, taking oil painting classes and even dressing up as the New Year's Baby, diaper and all, come the stroke of 12 midnight on the 1st of January each year bringing laughs and tears to many an eye. As his son-in-law said at Joe's funeral mass, if you were down and out all you needed was a "cup of Joe" for he always had a smile and a kind word for everyone. Yes, when you think of Joe St. Hilaire you can't help but smile and feel warm inside!

These people are but a few of the wonderful people who have touched our lives here at the Senior Center. There have been many, many more who have passed on this year and in years past...and each has left his or her mark. Here at **YOUR** Senior Center we share precious moments with our elderly. We grieve with them...cry with them...work with them...and laugh with them. When they leave it is hard but it is a comfort to know that the programs, services and friendships they have found here have made a difference in their lives. The Senior Center is a place where you will find all kinds of Senior Citizens. There are the "little old" ladies and men who look forward to coming down to have lunch or just sit and talk to someone... and there are the younger energetic Seniors who exercise almost everyday, work circles around the staff, play in the band or on the softball team, instruct classes, deliver meals on wheels, volunteer in the community, attend dances and look for new adventures.

The Tewksbury Senior Center is a place where our Seniors, their families and their friends come to meet and enjoy their retired lives. It is a place where the elderly can keep their minds, their bodies and their hearts busy and healthy. It is a place where

they are respected and admired, where they teach and where they learn. It is where they work hard and where they play.

Over the years especially in the last six to seven years, our Seniors have been working diligently towards their goal of expanding the Senior Center. With the Selectmen's appointment of a Senior Center Building Committee and the town's recent acquisition of the architectural services of Sterling Associates, our Senior's goal to expand the Senior Center is slowly becoming a reality.

On behalf of the Council on Aging, the Building Committee and our Senior Citizens, we again take this opportunity to thank all the residents of Tewksbury for their support...and, as I have said in the past, Tewksbury residents should be very proud of the services they render to their elderly population. It is also hoped that your support will continue as we travel along the road of the expansion project...a project and a privilege that will lend the residents of Tewksbury the opportunity to make the last "fleeting moments" in the lives of our elderly and our loved ones...productive, fulfilling, dignified...and, treasured moments for all of us. God Bless us all. God Bless America.

Respectfully submitted:
Linda R Brabant, Director

Council Members

Norman DeMarais, Chairman
Joanne Aldrich, Vice Chairman
Bernice Sprague, Treasurer
Phyllis Gibson, Clerk
Warren Hupper
Joel Deputat
M. Peg Keefe
Mark Wood
Rose McKenna
Marie Durgan
Joan Unger

Alternate Members

Carolyn French
Muriel Gifford
Lorene Patch

Town Staff

Carol A. Hazel
Robert Noel

Building Committee Members

Kevin Anderson, Selectman
David Cressman, Town Manager
Thomas Cooke, FinCom Member
Joel Deputat, COA Member
Robert Scarano, Friends of Elderly
Linda Brabant, COA Director
Matthew Hakala, Resident
Carolyn French, Resident
Bill Wareham, Resident

Recreation Department

LIVINGSTON STREET

2002 was a busy year. Four hundred (400) children registered again for the summer program, with an average daily attendance of 275.

New activities took place along with the old time favorites. Some of the new activities were a trip to the Baseball Hall of Fame and swimming. We also in conjunction with the Board of Health and Worlds Gym, offered a six week Kids in Motion program. Kids in Motion is a program designed to teach kids about anti-smoking and keeping their bodies healthy. The old time favorites consisted of Water Country, Canobie Lake, Cosmic Bowling and of course Good Times Arcade.

We held our end of the year cookout, which was attended by all three camps. A DJ provided music while the children played on rides, participated in games, and had their face painted by the counselors.

It is again our hope to continuously improve programs to offer the participants a variety of fun and safe activities. We are looking into starting a ropes / obstacle course and archery.

The Junior Golf Clinic was offered to children ages 5-11. Tennis Lessons were also available to children of all ages.

HEATH BROOK PROGRAM

The Heath Brook Program provides two, three-week sessions for 75 children per session, ages 4 ½, 5 and 6. The children participated in field trips to Canobie Lake, Police and Fire Stations, and weekly trips to the movies.

Various children's entertainers were invited to the school to perform. Arts and crafts, outside games, water games, and playground time are all part of the program. The program was again a success.

SCHOOL VACATION

We held our extended day program during February, April and December vacations. Children ages 7-13 participated in a variety of field trips sponsored by the Recreation Department. Trips included Good Times Arcade, Nashoba Valley snow tubing, Fleet Center Disney on Ice to name a few. Fun was had by all, children and chaperones alike. During the vacation weeks the children also participate in arts and craft and games.

SNOW DAYS

We have a snow day program in place for when school is cancelled due to snow or inclement weather. Although we did not have any cancellations last year, this year could be a different story. We open the Rec. Center from 8 AM – 5 PM. Please contact the Recreation Department for more details.

EXTENDED DAY PROGRAM

The summer extended day program ran in conjunction with the summer program at Livingston Street. It was a big success with 165 children participating in the summer extended day program. The program ran from 8AM – 5PM to help working parents during the summer and vacation periods. The vacation extended day program was also a big success. This program was held at the Recreation/Teen Center on Livingston Street.

CAMP POHELO

The Exceptional Children's Program provides recreational opportunities to Tewksbury residents age three (3) to twenty-one (21) who have an active IEP. Seventy-five (75) children took part in a six-week summer day program. A six week bowling program is also offered on Saturdays in the months of January and February. The children are transported to these activities by school bus.

The summer program at the Loella Dewing School runs from 9 AM – 2 PM. The children participate in a variety of activities including games, swimming sessions at Shawsheen Tech, arts and crafts, and athletics. There were also field trips to North Shore Music Theater, bowling and weekly trips to the movies.

TEEN CENTER

The Teen Center is open for children in grades 7 and up, 5 days a week Monday, Tuesday, Thursday 2:00 PM to 7:00 PM, Friday from 2:00 PM to 10:00 PM, and on Saturday from 6:00 PM to 10:00 PM. The center is also open for children in grade 6 on Monday and Tuesday 2:00 PM to 7:00 PM, and on Fridays 2:00 PM to 8:00 PM. All hours are subject to change depending upon participation. The Teen Center operates mainly on volunteer help and we are always looking for volunteers; if you are interested please contact the Recreation Department at 978-640-4460.

The Teen Center Haunted House and Hayride had another successful year. This is the Teen Centers major fundraiser, which raises money to support the Teen Center throughout the year.

FAMILY RECREATION

We held a Family Movie night during the summer, a big screen was set up in the softball field and fun was held by all who attended.

Our Father/Daughter Valentine dance, ages 4-11, was a big success and we are looking forward to this year's event.

The Recreation Department held a Giant Family Holiday Party. Children watched a holiday movie and also had their pictures taken with Santa. Frosty, Mrs. Claus, Santa's Elves and Jack in the Box also entertained the children.

In July the Recreation Department left Tewksbury with two buses filled with Red Sox fans for a fun filled day at Yankee Stadium. Unfortunately the Red Sox lost in the bottom of the ninth; however, fun was had by all.

ADULT RECREATION

Many adults joined us during the vacation weeks for our trips to the Fleet Center. We also offered trips to Foxwoods and Mohegan Suns. We are always looking for new ideas, if you have any suggestions, please contact the Recreation Department.

BASKETBALL/TENNIS COURTS

The basketball/tennis courts were full of activity throughout the spring, summer and fall. The area consists of 2 full size tennis courts and 2 full size basketball courts.

SKATE PARK

The new skate park opened this year to the cheers of all the skateboarders in town. The skate park will open up for the season in April (weather permitting). This has helped the town keep the skateboarders in a safe environment.

PATRIOTIC COMMITTEE

Memorial Day Parade will take place this year on Monday May 26, 2003. Anyone wishing to lend a hand or participate in the parade should notify the Recreation Department.

Fourth of July all day activities for the whole family. This year's activities will take place on Friday July 4, 2003, at Livingston Street Park. Watch channel 10 for a list of the day's activities.

RECREATION DEPARTMENT OFFERINGS

- 1.) Showcase Cinema discount tickets (Lowell, Lawrence, and Woburn) \$6.00
- 2.) Nashoba Valley discount ski tickets
- 3.) Town T-shirts, long sleeve mock neck shirts, sweatshirts, custom baseball hats and winter hats on sale

SUMMARY

We had another great year, with many opportunities for growth and successes for the Recreation Department. We look forward to continuous success and expanded services in the year ahead. Remember to watch channel 10 for up coming Recreation news or check out our web sit at www.tewksburyrec.com

Roy Patterson
Recreation Director

Recycling Committee

Environmental Day

On May 18th and October 19th environmental recycle days were held at the DPW. Metals, car batteries, oil, hazardous waste, air conditioners, CRTs, and propane tanks were collected. Although the first day was visited by bad weather, overall the two days were considered successful.

Third Annual Tidy-Up Tewksbury Day

Held June 8th, community members arrived at the corners of Shawsheen and Main Streets to help clean the area.

Scholarship Award

A one thousand dollar scholarship was given to Jacqueline Fortier, in the name of Tewksbury Recycling Committee and BFI.

Budgetary Allowances

The Committee purchased or created:

- (1) pick-up sticks for future clean-up days
- (2) movies for TV and library
- (3) posters for elementary schools
- (4) recycling barrels for recreation fields

First Annual Recycling Flea Market

Scheduled on July 13th, this allowed people to "recycle" material in the old "one person's junk is another person's treasure".

New Recycling Coordinator

Hired and is currently working with the Recycling Committee and school system to create a program for the elementary school systems. "Marching Into Recycling"

Recycling Signs

Four recycling signs posted as someone enters town on Shawsheen and Main Streets.

Recycling Tool Kit

The Committee received 15 points from DEP for this program and was able to select a number of items which are listed below:

- (a) four Tewksbury Recycles signs listed in the previous paragraph
- (b) one customized household hazardous waste day banner
- (c) two sign board with metal stands
- (d) four hundred event posters
- (e) one hundred and fifty magnet clips
- (f) three hundred pencils
- (g) three hundred tattoos
- (h) two hundred and fifty daily recycler wheels
- (i) two hundred table tents
- (j) seven hundred new resident magnet/hand cards
- (k) seventy-five hundred customized door hangers/hand cards

ECHO Program

Discussed with ECHO program at high school the possibility of involvement of students with the Committee members on town wide projects.

Newspaper Articles

The Committee submits monthly articles to the Tewksbury Advocate to let the residents know what is going on concerning recycling and what is being done to promote it. We hope these articles have been informative.

New House Test Project

Committee member Marcie Rizzo, with the assistance of other members, took it upon herself to prepare recycling information packets and deliver them along with recycling bins to forty-one residents of Gabs Path, Orchard Street and Michael Street to familiarize them with our recycling program. When the snow clears and the weather gets milder hopefully Marcie will continue this program.

Festival of Trees

The Committee purchased a live fir tree and decorated it with ornaments made from recycled materials. The tree will be donated to a municipal department for planting in the spring.

Mercury Exchange

The mercury thermometer exchange program continued this year. Residents are able to take their mercury thermometers to the Selectmen's Office, Town Hall, Monday through Friday 8:30 a. m. to 4:30 p. m. and exchange it for a digital thermometer. For your convenience, thermostats containing mercury are also collected for proper disposal but not for exchange.

Goodwill Industries

Goodwill Industries continues to collect CRTs at the DPW on the third Saturday of the month 9 a. m. to 1 p. m.

Condo Recycling

The Committee, with the assistance of BFI, started a pilot recycling program for condo residents whereby recyclables can be taken to the DPW on third Saturday of every month for drop off. Due to potential budget cuts for fiscal '04 the continuation of the program is doubtful.

Current Projects Under Construction

- (1) collection of fluorescent light bulbs
- (2) "March"-ing into Recycling – Program designed to educate and entertain elementary school students about recycling.
- (3) Improving recycling in all schools in the Tewksbury school system
- (4) Rewards Program – designed to "reward" people who recycle
- (5) 2nd Annual Flea Market
- (6) 4th Annual Tidy-Up Tewksbury Day
- (7) E-Day – bigger and better!!!

I would like to take this opportunity to thank the members of the Recycling Committee for their dedication and hard work and the Committee would like to thank the residents of Tewksbury who take the time to recycle and urge other residents to participate in this worthwhile program.

Kristina Rogers
Chairman
Tewksbury Recycling Committee

Historical Commission & Historical Society

The Historical Commission is the five member body appointed by the Board of Selectmen pursuant to State Law for "the protection, review, and development of the historical or archeological assets" of the town. The Commission is consulted on state and local projects which affect historic sites or buildings, and reviewed sixteen building demolition permit applications referred to it under the Tewksbury Demolition Delay By Law in 2002. This By law played a role in the development of current plans to restore the "Second George Lee House" on the corner of East and Lee Streets and give it another life as a Bed and Breakfast. This grand building dates from 1860 and was associated with the Lee Tannery, one of Tewksbury's earliest industries. It was also operated for many years as a rest home by the late John and Josephine Hedstrom. The costs of restoring the building were prohibitive for residential use. However, the current owner, Tewksbury Developer and Attorney Robert Scarano coordinated with the Commission to incorporate it into a development plan which preserves the buildings - and the adjacent landscape.

The Commission's counterpart private non profit group, The Tewksbury Historical Society, now grown to forty nine [49] members, finished an active year of activities and programs which helped fulfill its mission as a "living repository of Tewksbury's traditions and history." Several speakers shared their research and recollections. Gerry O'Reilly spoke to a Standing Room Only Crowd about his experience growing up in the Silver Lake part of town. He brought back memories of a place that was really jumping in the forties. Gene Winter, a Society member and recognized authority on early American archaeology, gave us a picture of life along Shawsheen Street when it was a dirt road. Ken Gloss, Brattle Book store owner and part of the cast of experts on the Antique Road Show, gave a presentation on antiquarian book collecting and did on the spot appraisals of volumes brought in by the audience.

You may have seen some of the photos of the Tewksbury of yesterday on display in some business establishments - or the early farming exhibit at the Library. The society and commission have been working to locate and catalogue early photos and make them available for more display and research. If you have or can help us locate old Tewksbury photos which we could copy or borrow, it would help us build an important record.

A continuing priority for both groups is recognizing the contribution of Tewksbury veterans through with an oral history project. Tewksbury veterans have been interviewed over the course of the last year or so, and the hard work and video production expertise of Scott Strainge has been put to good effect in translating their stories into a professional video format which is a fitting recognition of their sacrifice and patriotism. The first public presentation and tribute to World War II Veterans was held this year at the town Library. The collection of World War II stories will continue and efforts will also get underway to start assembling the stories of Veterans from the Korean, Vietnam, Persian gulf and other conflicts. Veterans are

urged to let us include their stories. Please contact Beverly Bennet at 978 851 6628. Beverly can also provide general information about membership and events.

Sometimes preservation requires a little elbow grease. The Society joined with other groups in cleaning and preserving Mico Kaufman's wonderful statuary representations of Tewksbury's heritage. The year finished up on a festive note with a 268th Town Charter Anniversary "history crawl" organized by Gene Winter and Society president Dave Marcus. A good sized group embarked from the library to follow a Tewksbury landmark itinerary - then repaired back to the library for a pleasant evening of comparing notes and holiday cheer.

Respectfully Submitted

James J. Gaffney, III, Chairman,
Tewksbury Historical Commission

David Marcus, President,
Tewksbury Historical Society

SAFETY

Fire Department

Police Department

Safety

Fire Department

Fire Department Roster – 2002

Fire Chief: Thomas Ryan 1972

Deputy Chief: George Yost 1976

Captains: Robert A. Fowler 1970
*Richard Mackey 1979
*Bruce A. Reed 1971
*James P. Ryan 1975

*John W. Burris 1972
*Robert Calistro 1988
*Michael Callahan 1989
Stephen Cotugno 1975
*Michael Hazel 1988
*Scott Keddie 1987
*Gary Kerr 1988
*David Levy 1973
*Timothy Niven 1985
*John O'Neill 1976
*Michael Sitar, Jr. 1984
*Albert Vasas 1989
*Jon Viscione 1985

Firefighters: *Patrick Brothers 1995
*William Brothers 1997
*James Bruce 1995
*Robert Calistro 1988
*Michael P. Callahan 1989
*David Carney 1995
*Joseph Dogherty 1986
*Patrick Doherty 1997
*Steven Eldredge 2002
*Oscar Forero 1985
*Joseph C. Fortunato 2001
*James A. Giasullo 1988
*Jeffrey Giasullo 1995
*Joseph Gillis 1997
*William Gosse 1998
Russell Gourley 1971
*Donald Greer, Jr. 1986
*Paul Guttadauro 1994
*Richard E. Hamm 1987
*Timothy Holden 1994

*Brian Hurley 1989
*David Karlberg 2001
*Joseph Kearns 1995
*Dale Lawrie 2000
*John Lightfoot 1976
Robert Little 1984
*Russell McGlauffin 1989
Stephen Powers 1982
*Alan Rosemond 1989
*Daniel J. Sitar 1987
*Daniel Small 1988
*Steven Spencer 2002
*Vance Vonkahle 1987

* EMT

Secretary: Susan Perry 2002

Retired David Austin 7/6/2002
Edward Kearns 7/6/2002
Virginia Coviello 9/30/02

FIRE DEPARTMENT ACTIVITY REPORT 2002

| | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC | TOTAL |
|-----------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|-------|
| AMBULANCE | 177 | 176 | 186 | 169 | 183 | 179 | 204 | 181 | 186 | 207 | 185 | 164 | 2197 |
| AMB. MUTUAL AID | 11 | 15 | 13 | 9 | 11 | 19 | 11 | 12 | 124 | 5 | 13 | 16 | 259 |
| ASSIST AMB. | 123 | 118 | 114 | 120 | 127 | 107 | 133 | 121 | 12 | 158 | 127 | 105 | 1365 |
| AUTO FIRE | 2 | 3 | 4 | 2 | 3 | 3 | 2 | 1 | 1 | 3 | 1 | 0 | 25 |
| BRUSH FIRE | 0 | 1 | 9 | 17 | 9 | 7 | 11 | 17 | 4 | 2 | 2 | 1 | 80 |
| ILLEGAL BURNING | 4 | 1 | 7 | 15 | 1 | 0 | 2 | 0 | 2 | 6 | 5 | 0 | 43 |
| STRUCTURE | 11 | 6 | 9 | 4 | 7 | 8 | 6 | 6 | 8 | 9 | 17 | 14 | 105 |
| DUMP/DUMPSTER | 1 | 0 | 1 | 0 | 1 | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 6 |
| ELECTRICAL | 3 | 4 | 1 | 3 | 2 | 0 | 4 | 5 | 9 | 2 | 0 | 3 | 36 |
| FALSE/ACCIDENT | 18 | 30 | 20 | 16 | 19 | 9 | 26 | 33 | 9 | 17 | 8 | 7 | 212 |
| INSPECTIONS | 67 | 87 | 84 | 89 | 114 | 86 | 81 | 80 | 100 | 78 | 33 | 36 | 935 |
| INVESTIGATIONS | 16 | 9 | 15 | 10 | 10 | 12 | 20 | 22 | 10 | 21 | 12 | 22 | 179 |
| MUTUAL AID | 0 | 1 | 0 | 0 | 1 | 1 | 4 | 0 | 0 | 0 | 2 | 0 | 9 |
| SERVICE CALLS | 46 | 46 | 40 | 39 | 33 | 49 | 54 | 45 | 52 | 47 | 48 | 52 | 551 |
| HAZ-MAT | 1 | 5 | 0 | 3 | 4 | 5 | 4 | 4 | 5 | 1 | 7 | 3 | 42 |
| CO DETECTORS | 0 | 2 | 2 | 1 | 7 | 2 | 1 | 0 | 1 | 0 | 0 | 1 | 17 |
| TOTAL | 480 | 504 | 505 | 497 | 532 | 487 | 563 | 528 | 523 | 557 | 460 | 425 | 6061 |

Police Department

Police Department Roster

| | | | | |
|--------------------------------------|--------------------------|------|---|------------------------------|
| Chief of Police | John R. Mackey | 1975 | William Schwalb | 1988 |
| | | | Chris Scott | 2002 |
| Deputy Chief of Police | Denise L. Gundrum | 1976 | Michael Sheehan | 1988 |
| Deputy Chief of Police | Alfred P. Donovan | 1984 | Jeffrey Suarez | 1989 |
| | | | Roger Tanguay | 1984 |
| Lieutenants: | George Hazel | 1979 | Stephen Torres | 2000 |
| | Ralph Ford | 1980 | Brian Warren | 1988 |
| | William Layne | 1980 | Robert Westaway | 1981 |
| | Edward Martin | 1975 | James Williams | 1996 |
| | Dennis Peterson | 1975 | | |
| | John Powers | 1981 | R.A.D. Co-ordinator: | Lieutenant John Powers |
| | Timothy Sheehan | 1987 | K-9 Officer: | Sergeant Timothy Kelly |
| | Robert Budryk | 1989 | Prosecutor: | Lieutenant John Powers |
| Sergeants: | John Barry | 1984 | Safety Officer: | Officer Brian Warren |
| | Stephen Kandrotas | 1978 | Detective/Youth Service Officer: | Officer James Hood |
| | James McKenna | 1980 | E-911 Dispatchers: | |
| | Robert Stephens | 1996 | (Full time) | |
| | John Voto | 1996 | Head Dispatcher: | Edward Sullivan 1994 |
| | Mark Perry | 1988 | Dispatchers: | Connie Morris 1994 |
| | Scott Gaynor | 1995 | | Matthew Small 1996 |
| | Robert Fields | 1996 | | Garin Worth 1997 |
| | Leonard Bolton | 1974 | | Karen Poisson 1997 |
| | Timothy Kelly | 1995 | | Jennifer Downey 1997 |
| Chief of Detectives: | Lt. Dennis Peterson | 1975 | | David Godin 2000 |
| Detectives: | Sergeant Leonard Bolton | 1975 | | Kim Porter 2000 |
| | Officer Kathryn McLeod | 1996 | | Patrick Carey 2001 |
| | Officer Andre Gonzales | 1995 | | Kimberly Griffin 2001 |
| | Officer James Hood | 1988 | | Phil Hyde 2002 |
| Temporary Detective Position: | Officer Paul Doherty Jr. | 1988 | Part time Dispatchers: | Beverly Mosher 1997 |
| | Officer James Hollis | 1995 | | Alice Kennedy 1998 |
| Patrol Personnel: (Officers) | Thomas Casey | 1999 | | Jack Fowler 2002 |
| | Ryan Columbus | 2000 | | Steven Pappleacos 2002 |
| | Christopher Coviello | 1989 | | Cindy Dicalogero 2002 |
| | Paul Doherty Jr. | 1988 | Executive Assistant: | Mary Ellen Higginbotham 1977 |
| | Eric Hanly | 2002 | Administrative Secretary: | |
| | James Hollis | 1995 | | Eileen Newton 1987 |
| | Walter Jop III | 2000 | | Patricia Stotik 1995 |
| | Daniel Kerber | 1995 | | Alice Kennedy 2002 |
| | Raymond Lafortune | 1988 | Secretary (Part time) | Sonia Newton 1999 |
| | Debra Layne | 1986 | Custodian (Full time) | Brad Schofield 2001 |
| | Keith Layne | 2001 | | |
| | Jennie Lightfoot | 2002 | | |
| | Markus McMahon | 2001 | | |
| | Jessica Mulvey | 1996 | | |
| | Francis Pappas | 1987 | | |
| | Kimberly Riccardi | 2002 | | |
| | Keren Reese | 1996 | | |
| | Kevin Reese | 1989 | | |

Retirees:

| | |
|-------------------------------|-----------|
| Deputy Chief Walter Jamieson | 1968-2002 |
| Lieutenant Anthony Dicalogero | 1975-2002 |
| Sergeant Peter Amari | 1974-2002 |
| Officer Allan Stephens | 1968-2002 |
| Officer William Latta | 1975-2002 |
| Officer Joseph Delucia | 1974-2002 |
| Officer Paul Ringwood | 1973-2002 |
| Officer Robert Carroll | 1973-2002 |
| Officer Paul Doherty Sr. | 1974-2002 |
| Officer Henry Perry | 1974-2002 |

Reserves:

| | |
|------------------|-------------------|
| Brian Carbone | James O'Hare |
| Martin Cormier | Steven Papaleacos |
| Carl Cyr | Edward Parisi |
| Cindy Dicalogero | Douglas Pratt |
| Patrick Doherty | Steven Spencer |
| John Donoghue | Edward Sullivan |

| | |
|--------------------|------------------|
| Brian Fernald | Bruce Sweet |
| John Geary | Paul Thomas Jr. |
| David Godin | Mark Wood |
| Bert Hadley | Richard Viera |
| Richard Hopkinson | Walter Jamieson |
| Phil Hyde | Joseph Delucia |
| John Jarek | Paul Ringwood |
| Arthur Jarossi | Robert Carroll |
| Alice Kennedy | Paul Doherty Sr. |
| Douglas Law | Henry Perry |
| Warren Layne | |
| Debbie Lumsden | |
| Rich Lumsden | |
| James McClafferty | |
| Sharon McClafferty | |
| Connie Morris | |
| Beverly Mosher | |

Safety

In the past six months, I have been involved with getting the mobile command vehicle up running, it now has the computers in it, and they are on line. We are now starting to outfit it with the equipment that we will need to handle any incident that we may come up agents.

I have also had two interns from colleges doing ride a longs with our department for credits towards the degrees. I have gotten a neighborhood crime watch group going and we are trying now to have out meetings by e-mail. We have had two RAD classes that I was invold with.

I have had a hand in writing some grants so that the department one could have more officers out on the running radar and enforcing the safety belt and child seat law; this was funded by the state and federal funds. Also grants to get equipment to help in combating terrorisms thru through state and federal government.

I have run 40 tours of the station for the different troops from our town i.e. cub scouts, girl scouts, tiger cubs, daisies. Along with all my other duties I do for this department. I have done 12 safety talks for the schools and youth groups of the town.

Sincerely
Safety Officer Warren

EDUCATION

*School Committee
Scholarship Awards
Staff List*

*Superintendent of Schools
General Information
Shawsheen Valley Regional Vocational / Technical School District*

*Student Services
Enrollment by Schools*

School Committee

The Annual Town Elections were held on Saturday April 6, 2002. This election brought new leadership to the Tewksbury School Committee in the person of Mr. Joseph Russell. Mr. Russell came to the School Committee with a long history of active involvement in the schools through membership on Parent Advisory Councils and School Councils. The Committee looks forward to working with Mr. Russell and benefiting from the knowledge and experience which he brings to the Committee.

The School Committee bid farewell to Committee Member Douglas Sears. Mr. Sears campaigned for and was elected to membership on the Tewksbury Board of Selectmen. We thank Mr. Sears for his service to the Committee and his involvement as a member of the Short Term School Space Committee, the Special Education Sub-committee and as a member of the bargaining team for the last successor agreement for the Tewksbury Teachers Association.

The School Department Budget which was adopted by Town Meeting May 6, 2002 was 28,145,683. This figure represented a 1.4 % increase over the previous year. Subsequent to Town meeting the Town Manager apportioned an additional 388,725 rendering the final budget a mount to be 28,534, 408. or 2.8% over the previous fiscal year This budget resulted in the elimination of 15 teaching positions, reduction in the custodial work force, the increase in class size at all instructional levels and adoption of a more general route system in school bus transportation.

Despite this limited budget student achievement on the Massachusetts Comprehensive System (MCAS) and the Iowa Test of Basic Skills (ITBS) continues to improve. Our students posted the best scores to date across both measures.

Tewksbury students continue to take full advantage of the art programs and the co-curricular offerings. The May spring concert and the December holiday concert reflected the resurgence of the music department. The annual spring art exhibit showcased the artistic skills of our students across a variety of mediums. Highly successful productions such as *Charlie and the Chocolate Factory* at the John F. Ryan School and the high school production of *Lovers and Executioners* indicate the growing interest of our students in the area of drama.

Other students have also derived benefit from participation in the athletic program on the varsity, sub-varsity and intramural levels. We are grateful to the Town Recreation Programs and the Police Athletic League for augmenting our efforts in this area. In a time when many communities have levied athletic and other activity fees, the School Committee has endeavored to afford all students the opportunity to participate in our athletic and co-curricular program without a financial assessment.

School facilities continue to be a major focus of the work of the School Committee. The Committee appreciates the work of the Wynn School Building Committee in overseeing the construction project. The School Committee has closely monitored the progress of the project and the continued implementation of the housing plan for middle school students during the construction. The School Committee also appreciates the support of the middle school parents and guardians, the cooperation of the students, the leadership of the administration at the Wynn, Ryan and Tewksbury Memorial High Schools, and the efforts of their faculty in the effective implementation of this housing program on behalf of these students.

The Tewksbury School Committee is indebted to the Brandywine Technical Partners for their very generous donation to our school system. Brandywine Technical Partners donated the services and the equipment necessary to establish Local Area Networks (LANs) at the Dewing, Heath Brook, North Street and Trahan Schools. This extraordinary gift enabled us to connect all classrooms to the Internet and to realize the full promise of our State approved Technology Plan.

The Community Education and Extended Day Programs continue to flourish. The success of the adult education classes supports our commitment to life-long learning. The Extended Day Program offers before and after school programs, extended day kindergarten programs and a summer camp and enrichment program. Elementary students have the opportunity to access programs during 50 weeks of the year.

The School Committee continues to pledge their time and effort to advocate for the funds necessary to provide a high quality educational program for the students in the Tewksbury Public Schools. These students are the future of our community. The Committee has worked hard to provide the programs necessary to prepare these students to take their place in society as productive and highly skilled citizens.

The Tewksbury School Committee expresses its gratitude to the faculty, staff and administration for their efforts on behalf of our students. The Committee also thanks the parents and guardians for their support. Finally the Committee extends their appreciation to the elected and appointed officials of the Town for their support, guidance and cooperation during 2002. The year 2002 presented many challenges in the area of finance. The joint efforts of the elected officials and especially the Town Wide Budget Sub-committee was critical to the process of achieving a budget which was responsible and preserved educational programs and public services for the community.

Edward K. Dick
Chairman
Tewksbury School Committee

Superintendent of Schools

Introduction

The Tewksbury Public School Community changed considerably in September of 2002. This change was due to the participation by many faculty and staff in the Retirement Plus Program offered through the Massachusetts Teachers Retirement System and the Early Retirement Incentive program provided through the Middlesex Retirement Program. The level funding of State Aid and constraints on local funds prevented the replacement of many of these essential personnel. This situation has posed certain challenges for the school district.

These challenges are compounded by the continued requirements of the Educational Reform Act of 1993. The requirements of Time and Learning has eliminated all study halls and increased the time required for classroom instruction. We are required to expend 125.00 per pupil on professional development. We have also continued to expand the writing of Success Plans from the high school to the middle and upper elementary levels. These Plans are required for all students who failed the Massachusetts Comprehensive Assessment System (MCAS). These mandates combined with the required spending obligations in special education have eliminated any money available for new personnel.

Our student enrollment increased from 4554 on October 1, 2001 to 4738 on October 1, 2002. This increase can be attributed to three factors. An increased number of grade eight students who elected to attend the High School. The second factor concerns the increase of new students to the community as residents. The third factor involves the enrollment of new students through the Bureau of Transitional Assistance.

Despite the limited finances, the decrease in personnel, the continued mandates and the increased enrollment, student achievement continues to improve. Student performance on the MCAS improved at all tested grade levels and across all subjects. Our Cycle II Performance rating, published by the Massachusetts Department of Education, ranks the Tewksbury Public Schools as high in the area of English/Language Arts and Moderate in the area of Mathematics. Our Cycle II Improvement Rating is above target for both English/Language Arts and Mathematics.

Personnel

The following members of the administration, faculty and the staff resigned at the conclusion of the 2001-2002 academic year or by September 30, 2002.

Administration

Mr. Anthony J. Romano, Principal of Tewksbury Memorial High School retired after 38 years of dedicated service as a teacher, department head, assistant principal and coach. Mr. Romano was inducted into the Tewksbury Memorial High School Athletic Hall of Fame on April 5, 2002 in recognition of his service to the student athletes in our school district.

Faculty

Tewksbury Memorial High School

Mrs. Patricia Lannon, Science Teacher and Advisor to the Class of 2002, will long be remembered for her work in the area of environmental awareness. Mr. John Maloy Guidance Counselor -Mr. Maloy wrote countless college references and was a staunch supporter of all colleagues. Mr. Robert McCabe, Physical Education, was also inducted into the Athletic Hall of Fame on April 5, 2002 in recognition of his success as the Varsity Ice Hockey Coach.

Dr. Fred Penza, School Psychologist, was a skilled counselor and evaluator of students at both the high school and the middle school. Mrs. Gail Pollard, Family and Consumer Science, was responsible for the highly popular Tewksbury Memorial High School Preschool Program. Mr. Roger Whittlesey, Music Teacher and Marching Band, Jazz Band, Concert Band and Choral Director. Our school district and the community will long remember the many concerts, Christmas Tree Lightings and patriotic programs under Mr. Whittlesey's direction.

John W. Wynn Middle School

Mr. Anthony Blanding retired as an English Teacher. Mr. Blandini was also the Vice President and Grievance Chairperson for the Tewksbury Teachers Association. Mrs. Anne Maloy, Social Studies, was a highly respected member of the Social Studies Department and a member of the System-wide Staff Development Committee. Mrs. Brenda O'Brien also retired from the English Department and as the Curriculum Coordinator of the English Department.

John F. Ryan School

Mr. Fred Leahy, Grade Five Teacher also served as the Head Teacher for the Heath Brook School. Mrs. Helen Lewis retired as the School Psychologist. Ms. Marimargaret Roberts, Grade Five Teacher also retired. Ms. Roberts also served as a long-time faculty member at the Trahan School.

Loella F. Dewing School

Mrs. Geraldine Rubico, Kindergarten Teacher also served many years as the Head Teacher at the school. Mrs. Stella Sullivan, School Adjustment Counselor, was also a Head Teacher and she served as the Special Education Chairperson.

North Street

Mr. Robert Cullen, Grade Four Teacher, also served as the Head Teacher for the school. Mr. Eugene Sdoia, Grade Four Teacher, also retired. Mr. Sdoia was formerly the Principal at the Foster School.

Louise D. Trahan School

Mrs. Joan Friedman, Grade Four Teacher, was a key member of the teaching team that prepared the students for the MCAS.

Certified and Non-certified Aides

Mrs. Elinor Beloin, Certified Aide, at the Dewing School retired. Mrs. Beloin was a valued member of our primary level team inclusion class at the Dewing School. Mrs. Beloin was also the recipient of a service award from the Massachusetts Teachers Association. Mrs. Rita Boudreau, Kindergarten Aide, at the Heath Brook School retired after many years of dedicated service. Mrs. Peg Smith, Kindergarten Aide, at the Dewing School retired from the staff but continues as a Site Director in our Extended day Program.

Custodians and Maintenance Personnel

Mr. William Cuskey retired from the Heath Brook and long-time service at the John W. Wynn Middle School. Mr. George Greenman retired as Head Custodian at Tewksbury Memorial High School. Mr. Jorge DaSilva retired from the John F. Ryan School and previously the North Street School. Mr. John Laffey retired as custodian at the Center School and long-time service at the John W. Wynn Middle School. Mr. Louis "Ski" Marion retired from the maintenance department. Mr. Marion's skill as a master carpenter will long be appreciated.

Food Service Department

The Tewksbury Food Service Department bade farewell to four members of their staff. Mrs. Sandy Either retired from the John F. Ryan School and Mrs. Elizabeth Ryder retired from the Dewing School. Mrs. Anna Dobbin retired from the North Street School and Mrs. Judy Dickinson from the Middle School.

Secretarial Personnel

Mrs. Valerie Rogers retired after many years of dedicated service to the North Street School Community. Mrs. Barbara Sullivan retired as Secretary to the Superintendent of Schools. We are pleased that Mrs. Sullivan continues as Secretary to the Tewksbury School Committee.

All of these retirees gave tirelessly to the students, parents and the staff of the Tewksbury Public Schools. We honor them for their dedication and commitment. They will be sorely missed.

New Personnel

Principal- Tewksbury Memorial High School

The school district welcomed Dr. Gerald Ferris as the new principal at Tewksbury Memorial High School. Dr. Ferris served as Assistant Principal in the Wells and the Kennebunk Maine Public Schools for 13 years prior to coming to Tewksbury.

Educational Support Teacher and Elementary Technology Specialist

Funds from the **Federal Act No Child Left Behind** were used to fund these two positions. Mrs. Eileen Lindsey was hired to develop and implement Success Plans for students at the John W. Wynn and John F. Ryan Schools. Mrs. Kathy Santilli was hired to provide technology education and teacher training at the Dewing, Heath Brook, North Street and Trahan Schools.

Learning Specialist and English as a Second Language Tutor

Funds from the **McKenney-Vento Homeless Act Grant** were used to contract with two individuals to support the students from the Transitional Assistance Program at the Dewing School. Mrs. Judith Cole and Mrs. Ellen Connolly will provide these services.

We will continue to pursue any available grant money to provide services for all of our students.

Strategic Planning

On July 15, 2002 the Tewksbury School Committee adopted the System-wide Goals for the 2002-2003 school year. These goals represent the initiatives included in the new five-year strategic plan. This plan was developed during the 2001-2002 school year. The plan represents the third five-year strategic plan for the school district. The plan includes a mission statement, core values and four general areas. These areas include; **Curriculum and Instruction, School and Community, School Resources and Program Development.**

I would also like to acknowledge the work of our school councils. These councils are mandated through the Educational Reform Act. The councils have developed Improvement Plans for each school. The goals on these plans are compatible with the system-wide goals. This compatibility will result in a highly effective and unified effort in meeting the needs of the students in our school district.

I am pleased to recount some of our efforts for the 2002-2003 school year as reflected in these system-wide goals. The Tewksbury School Committee at the Tenth Annual Joint Retreat between the Tewksbury School Committee and the Tewksbury Administrative Council will review our progress. This retreat is scheduled to take place on February 12, 2003.

Core Values

Our values reflect a strong commitment to the belief that our instructional program must have high expectations and the conviction that all students can reach their individual potential. These values also articulate the beliefs that each learning environment must offer educational equity and assurance that all students are safe. Finally the values support our effort to develop both the unique talents and a strong character in all learners.

Curriculum and Instruction

We continue to endeavor to provide a challenging curriculum and instructional programs, which reflect high expectations for all learners, and which provides all teachers with the resources to promote best teaching practices.

Specifically we have expanded the Guided Reading Program into Grade Three. This Program provides a highly effective diagnostic-prescriptive approach to Reading instruction. We have added the TERC investigations to the new elementary mathematics program. These investigations will further enhance students' critical thinking skills. We continue our efforts in the area of curriculum revision and the ongoing alignment of our curriculum with the State curriculum frameworks.

Perhaps our greatest initiative in this area is the broad range of academic support programs for students who have demonstrated academic weakness. These programs are offered on Saturdays, after school hours, during the summer and over school vacation periods.

The Technology Subject Area Review Committee (SARC) has completed the development of K-12 Curriculum and Grade Level Standards and recommended software for each instructional level. The Technology Curriculum is included in the proposed budget for the 2003-2004 school year. The program is currently being piloted in our elementary (K-4) classrooms. All of our schools are now equipped with Local Area Networks (LAN). The establishment of the LANs at the Dewing, Heath Brook, North Street and Trahan Schools was made possible through the generosity of the Brandywine Technical Partners.

School and Community

Student and school safety continues to represent the main focus of our work in this area. We are working on the development of a profile sheet to monitor the progress of the special needs and at-risk learners as they move through the school system. We continue our work in the area of Character Education with many new initiatives taking place in our elementary schools. In addition we have expanded our community job placements and internships for high school students.

The District Security Team continues to meet on a regular basis. The Team includes representatives from the school, police and fire departments. Recently we developed protocols for after school and athletic events, responding to earthquakes and procedures for responding to off-site bus incidents. We have conducted critical incident simulations at the Dewing, Ryan, Center and High Schools. We continue to offer safety programs for parents and for the faculty. Our future work will concern the development of procedures for stranger awareness and the dismissal of students to adults who are unfamiliar.

School Resources

The administrative housing committee continues to meet on a regular basis. A transition plan has been developed. The plan includes the packing up of middle school classrooms currently located at the Center, Ryan and Tewksbury Memorial High School. The plan outlines the schedule for the moving of these materials, the establishment of the classrooms at the new middle school and the orientation program for students and parents/guardians.

The School Resource area includes the plan for the renovation of the parking area at the Louise Davy Trahan School. This plan was completed prior to the start of the 2002-2003 school year. In addition this area addresses the planning for the future visit by the New England Association of Schools and Colleges at Tewksbury Memorial High School. This visit is currently scheduled for March 2005. The School Resources area also includes the close monitoring of student enrollment data to insure that we maintain effective class size at all instructional levels.

Program Improvement

This is a new area of our strategic plan. We have included this area in support of our commitment to be accountable for all school department functions as well as the academic achievement of our students. To this end we have continued the process of correlating student test score performance on the MCAS with student performance on the (ITBS). We are using this data to improve instruction and to better prepare our students for future assessments.

We continue to expend the required funds in the area of professional development. We offer a comprehensive professional development program during the professional development days and throughout the summer months. We have also implemented a new Teacher Mentor Program. This is another area required by the Department of Education. Our current Mentor Program enrolls 20 pairs of mentors and new teachers. Program participants will receive the required training during the 2002-2003 school year.

Summary

This report details the many activities and accomplishments which the Tewksbury School Department has undertaken during 2002. Any success we have achieved is the result of the hard work by the faculty, staff, administration and students and the constant support from parents and guardians. There are many other people who continue to support our work and to these people we are deeply grateful.

The Tewksbury School Committee continues to provide the leadership and the direction needed to keep our school district on course. Despite difficult financial times the School Committee has worked hard to put the academic needs of our students at the center of any budget discussion. I would also like to thank the School Committee members for supporting on development of the new five-year strategic plan and closely monitoring the progress of the John W. Wynn Construction Project and the middle school housing plan during this construction.

I would also like to thank the members of the Central Office Administration and Staff for their support and hard work. We have assumed the responsibility for many new regulations and mandated programs. The burden of overseeing these programs has rested on their shoulders. This effort is especially impressive in consideration of the fact that we are housed in two separate and temporary locations.

I would once again express my gratitude to the members of the John W. Wynn School Building Committee. The timeline for this project has been extended well beyond the expected date for substantial completion. This Committee continues to work hard in

concert with the architect, the general contractor and the administration to secure a well constructed facility that will benefit the students of this community for many years.

The school department continues to benefit from the active involvement of the Parent Advisory Councils and the School Councils. The members of these groups work hard to provide programs, purchase materials, develop actions plans and support each school community in meeting the needs of our students.

We are most fortunate to have the support of the Town Manager, the Tewksbury Board of Selectmen and the Tewksbury Finance Committee and all elected and appointed officials who serve the Town. Their support and responsiveness to requests for information and assistance is most appreciated. We place a special value on the working relationship with the Tewksbury Police and Fire Departments through the District Security Team.

It is my honor to serve the Town of Tewksbury as the Superintendent of Schools. I am proud to share our past accomplishments and our goals for the future.

Respectfully Submitted,
Christine L. McGrath, Ph.D
Superintendent of Schools

Student Services

Responding to the comprehensive Coordinated Program Review conducted by the Department of Education in the areas of Special Education, Methods of Administration [Civil Rights], and Title I was the major emphasis of Student Services in 2002. Because each of the areas comprising Student Services are provided in collaboration with one another, the Coordinated Program Review touched upon all in relation to the State and Federal regulations and laws associated with the three broad categories included in the Review. Simultaneously with the Coordinated Program Review, Student Services' varied programs and services continued to creatively and effectively meet the needs of students, parents, school personnel, collaborating advisory and other groups, and the community.

English As a Second Language Programs and Services:

Enrollment in Tewksbury's English As A Second Language program increased from 25 in June 2002, to 36 at the close of this calendar year.

Students whose primary language is not English participate in the English language development program provided by ESL Tutors who hold Massachusetts Certification in this area. The number of primary languages represented by students enrolled in the English As A Second Language Program increased during 2002. The primary languages of students enrolled in the ESL program included Portuguese, Spanish, Korean, Hebrew, Chinese, Persian, Russian, Indian, Egyptian, Persian, French, Thai, Turkish and Brazilian and are representative of the wonderfully growing diversity and mingling of cultures in this community.

Gifted and Talented Programs and Services:

Program development and design for 2002 was refined and formalized by a committee formed and facilitated by Student Services. This Committee for the Gifted and Talented was comprised of representatives of the district's Parent Advisory Councils, school department administrators, and school department teachers. The Committee explored research completed and program model alternatives for the Gifted and Talented. The Committee then engaged in decision-making and proposal/recommendation development for presentation to the Superintendent of Schools and to the School Committee.

The committee articulated four Gifted and Talented Program Models. The Resource Teacher of the Gifted and Talented implemented the *Targeted Population Program Model* in Grades 3 and 4 at each elementary school. Students who met program selection criteria were given the opportunity to participate in small group enrichment activities during the school day. The *In-Classroom Program Model*, implemented by Classroom Teachers at all grade levels, afforded students the opportunity to participate in differentiated instruction within the classroom setting so that varied student learning styles and achievement levels could be accommodated and challenged.

The *Consultation Program Model* provided Classroom Teachers with the opportunity to consult with the Resource Teacher of the Gifted and Talented. Consultation topics were related to the development of differentiated instructional strategies for classroom

implementation, the development of subject or activity specific enrichment Learning Centers in the classroom, the development of challenging Learning Activity Packets, and the development of challenging enrichment research projects correlated with the classroom curriculum.

The *Extended Day Program Model* afforded students the opportunity to participate in various enrichment topics or activities at times other than during the school day. These enrichment experiences were developed and presented to interested students by Tewksbury Teachers at the close of the school day and by Tewksbury's Community Services Department at the close of the school day, during the evening, and/or during school vacation periods.

Guidance Programs and Services:

The Eight Annual College/Career Fair was held on April 4, 2002. Extensive outreach to numerous accredited Colleges and Universities and to businesses was implemented to invite and encourage each to participate in this major Student Services event. One hundred thirty four Colleges and Universities from throughout the United States accepted the invitation and afforded High School students from Tewksbury and surrounding communities the opportunity to learn about the programs and services available at these 134 institutions. Nearly 900 students and parents collected information and literature about school and career options and opportunities available to students after successful completion of High School.

The Scholarship Awards program for graduating members of the Class of 2002 was held on June 6, 2002. This annual Student Services event celebrated high school academic achievements and the leadership accomplishments. Tewksbury Memorial High School graduating Seniors received \$1,124,641.00 in scholarship awards from Colleges and Universities, professional organizations, community residents, businesses and organizations, athletic associations and groups, and school department associations and organizations. A listing of the recipients and of the donors follows this report.

During the Fall of 2002, Guidance Counselors at Tewksbury Memorial High School presented the annual Senior Parent/Guardian Breakfast program. Participants received Information about graduation requirements, the college search and application process, and college admissions testing programs. In December, Student Services presented a Financial Aid Workshop for students and their parents and guardians. Participants received guidance on how to complete the application for Federal Student Financial Aid [FAFSA], a process designed determine student eligibility to receive money from federal grant, loan, and work-study programs and from State and private colleges and universities to assist in funding post-secondary educational programs. Workshop participants were also provided with information about loan options and rates available from a variety of sources and resources to help fund the expenses of a college education or other post-secondary training.

During 2002, college admissions testing programs were again organized and administered by Student Services for students in Grades 10 through 12 in Tewksbury. The Preliminary SAT/National Merit Scholarship Qualifying Test [PSAT/NMSQT], funded by the Tewksbury Public Schools, was administered in October to interested students enrolled in Grade 10 and in Grade 11. Middle School students participating in the John Hopkins Talent Search Program and High School students in Grades 10 through 12 had opportunity to take the SAT I: Reasoning Test and the SAT II: Subject Tests in Tewksbury on December 7. Eligible students in Grades 11 and 12 at Tewksbury Memorial High School took Advanced Placement Tests in May in the specific Advanced Placement subject areas included in the curriculum at Tewksbury Memorial High School. Students taking AP Exams in Biology, Calculus AB, English Literature and Composition, and United States History who achieved scores of three or better on an AP exam could be qualified to receive college credit for the equivalent course at a College or University participating in the AP program.

Health Education Programs and Services and Health Services:

The Health Education Curriculum Committee/Advisory Council continued its work on reviewing and refining the Health Education Curriculum to ensure continued correlation with the Massachusetts Frameworks. The Health Education Curriculum Committee/Advisory Council is comprised of representatives from the School Department, Tewksbury's Board of Health, Tewksbury's Public Library, the Massachusetts Prevention Center, and Parents and other Community members.

In mid-October, the Melanoma Education Foundation, through Student Services, presented a Melanoma Awareness and Prevention training program for Health Educators, School Nurses, Physical Educators, and Special and Regular Education Staff In October. Informational materials were also provided to participants for use in classroom activities that addressed the importance of early detection of melanoma.

A Professional Development Series related to Health Education and Health Services was presented by Student Services for school personnel during the Spring of 2002. Two sessions of this four session training program provided Classroom Teachers, Health Educators, Physical Educators, School Nurses and School Administrators with strategies on *Being Creative in Health Education* and emphasized state standards, practical application, and linkage to the Massachusetts Frameworks. *Health and Behavioral Issues*

that Affect Student Performance explored issues such as loss and grief, eating disorders, self esteem, and substance and alcohol abuse prevention in the other two sessions of this series.

The Hepatitis B Immunization clinic was again implemented collaboratively by the Tewksbury Public Schools and Tewksbury's Board of Health. The three shot vaccination series for immunization against Hepatitis B was provided free of charge to students in Grade 6 at the Ryan School.

Through funding made available by the Enhanced School Health Services Project Grant, a member of the Health Services staff was appointed School Nurse Leader during 2002.

Special Education Programs and Services:

Preparation for the on-site visitation of the Coordinated Program Review Team of the Department of Education was the major undertaking for Student Services in 2002. Review of records, policies, and other federally and state required documentation, interviews with administrators, teachers, instructional aides, and parents, and site visitations of programs and facilities was conducted by the Department of Education's CPR Team. In April, a response to the draft of the report received was prepared and submitted to the Department of Education. In August, Student Services received a copy of the final report from the CPR Team Chairperson. Responses to the Special Education and Title I components of the final CPR report was completed by the Director of Student Services on behalf of the Tewksbury Public Schools. The Superintendent of Schools, the Assistant Superintendent of Schools, and the Director of Student Services completed the needed responses to the Methods of Administration [Civil Rights] standards addressed in the final report.

Professional Development and training in Special Education regulations, policies, procedures, and timelines took place throughout 2002.

A Leadership Training Series was presented for Principals and Case Managers during the Spring and Fall of 2002 by the Director of Student Services. Special Education policies related to procedures for meeting federal and state legal standards and regulations were jointly developed during this training series. Following training with the Director of Student Services, Principals and Case Managers presented follow-up training sessions to school personnel assigned to their schools. This Student Services Trainee/Trainer model for professional development was designed to ensure dissemination of required information and procedures to all school personnel.

Pre-School Special Education providers and Kindergarten Teachers participated in a Student Services grant funded professional development series during the Spring of 2002. A draft curriculum for Grades Pre-School through Kindergarten was developed by the participants. This professional development training series afforded opportunity to personnel who work with Pre-School and Kindergarten age children to exchange program information and objectives and to jointly develop a document assisting in the transition of students from Pre-School to Kindergarten. The curriculum draft developed proved helpful in preparing application for renewal of accreditation of Tewksbury's Special Education Pre-School programs by the National Academy of Early Childhood Programs.

During 2002, a 45-hour Professional Development Program was presented by Student Services for Tewksbury Personnel. The following topics were included in this professional development training series: The Role of the Teacher and Co-Teaching Models of Inclusion, Autism Spectrum [*including PDD and Asperger's Syndrome*], Angry and Defiant Children, Differentiated Instruction, Behavior Management/Modification [*including ABA*], Specific Learning Disabilities [*including Non-Verbal Learning Disabilities*], Multiple Disabilities, Testing Alternatives, Assessments, and SPED Legal Issues. Participants were also required to complete a project demonstrating the application of all that was learned during the 45-hour program and for developing a plan of action for implementing what was learned in the fulfillment of their varied role responsibilities in Tewksbury.

School Psychologists and School Adjustment Counselors were invited to participate in a professional development program on the topic of Social/Emotional/Behavioral: Awareness/Assessment/Intervention. Participants in this grant funded Student Services presentation included the following topics: Differential Diagnosis, Functional Behavioral Assessment, and Behavior Intervention Plans. Federal and state regulations require diagnosis to determine eligibility for special education, the administration of a Functional Behavioral Assessment in specific instances, and the development of Behavior Intervention Plans when appropriate.

Instructional Aides were afforded the opportunity to participate in a 65-hour training program designed specifically for Special Education Instructional Assistants which was present by Student Services from September through December 2002.

This grant funded SPEDIAC 2002 program for Tewksbury's Instructional Aides included topics related to the Role of the Instructional Assistant, Ethics and Special Education Law, Curriculum and Instruction, Infection Control, Health Problems Affecting Student Performance, Range of Motion, Adaptive Equipment, and so on. In addition, participants received training in

American Red Cross First Aid and Cardiopulmonary Resuscitation and earned First Aid and CPR certification. Participants were also required to implement the strategies learned in their classroom assignments in Tewksbury and to be evaluated in this process. Each Instructional Aides' supervising Teacher completed a checklist verifying that person's on-the-job demonstration of knowledge and skills acquired through the training program.

The Special Needs Parents Advisory Council also presented a number of programs for parents. These included the following topics: (1) *"Reframing" - What are the Positives that Come Out of Learning Differences*, presented by Dr. Eliza Goodell, (2) *The Individual Education Plan (I.E.P.)*, presented by Ms. Donna Murphy, (3) *Recent Changes in Special Education*, presented by Attorney Larry Kotin, (4) *SPED Funding in the Legislature*, presented State Senator Sue Tucker, (5) *Assistive Technology*, presented by Mr. Peter Walsh, (6) *Basic Rights of Students Under Chapter 766*, presented by Attorney Claire Van, and (7) *Ask the Advocate*, presented by Ms. Donna Murphy.

Title I Programs and Services:

Title I is a federal grant funded program designed to provide instructional support services in reading to Title I eligible students in schools identified as eligible for Title I funds. All Title I services received by eligible students are developed in collaboration with Regular Education Classroom Teachers, Special Education Teachers, and English As A Second Language Tutors and complement the educational program provided in the Classroom but do not take the place of classroom instruction in Reading.

During 2002, three elementary schools in Tewksbury were identified as meeting the Federal eligibility requirement to have Title I programs and services made available for students attending those schools. Three Massachusetts Certified Reading Specialists provide supplemental reading instruction to at risk students in Grades K through 4 in these three schools.

Parents of Title I eligible students were participants in the development of the Title I Grant and program and collaborated in the implementation of the Title I program at each of the three Title I schools in Tewksbury during 2002.

The administrators and staff comprising Student Services of the Tewksbury Public Schools have appreciated the opportunity to serve the students, parents, and the community in providing educational services, professional development, and informational programs and events throughout 2002. Student Services looks forward to continuing to work in partnership with the parents and guardians of students and with community agencies and organizations in meeting the needs of Tewksbury students of all ages.

Respectfully submitted by,
Dr. Michele F. DeAngelis
Director of Student Services
Tewksbury Public Schools

Class of 2002 Community and University Scholarship Awards

The Tewksbury Public Schools is pleased to present and acknowledge the scholarship awards donors and the Class of 2002 recipients. We are grateful for the support of Tewksbury students given by the local residents, community organizations and businesses, school organizations, athletic associations, and private organizations and colleges and universities who participated in our Scholarship Awards Program. These generous donors demonstrated their support of the academic and athletic achievements of Tewksbury Students by awarding more than One Million Dollars in scholarships to members of Tewksbury's graduating class of 2002.

The continued support of Tewksbury students by the Scholarship Donors, the difference they make in the lives of our students, and their commitment to Tewksbury's outstanding leaders of tomorrow are greatly valued and appreciated.

THANK YOU to each of the Scholarship Award Donors and **CONGRATULATIONS** to the Scholarship Recipients.

BUSINESS DONORS:**Balfour Scholarship Award:**

Courtney Walls \$ 250.00

Lowell 5 Cent Savings Bank Scholarship Award:

Caroline Power \$ 1,000.00

MASSBANK Charitable Foundation Scholarship Award:

Matthew Belmonte \$ 500.00

Eileen Morrisette Skating School Scholarship Award:

Matthew Gillis \$ 500.00

Muro Pharmaceutical, Inc. Scholarship Award:

Lindsay Donnelly \$ 1,000.00

Schlott Tire Academic Scholarship Award:

Steven Ward \$ 500.00

Tewksbury Business Association Scholarship Awards:

Monica Frank \$ 250.00

Justin Kinckle \$ 250.00

Tewksbury Physical Therapy Scholarship Award:

Jennifer Gariepy \$ 500.00

The Ed Walsh Hockey Schools Scholarship Award:

Karen Lazzara \$ 400.00

Weathervane Seafood Restaurant Scholarship Award:

Gregory Smith \$ 500.00

COMMUNITY DONORS:**Elks Scholarship Awards:***** Tewksbury/Wilmington Lodge of Elks #2070 Scholarship Awards:**

Danielle Corsino \$ 1,000.00

Adam Stotik \$ 1,000.00

*** Massachusetts Elks "Most Valuable Student" Scholarship Award:**

Amy Lynch \$ 4,000.00

*** Massachusetts Elks Scholarship Awards:**

James McCarthy \$ 600.00

Brad Sullivan \$ 700.00

Merrimack Valley Area Rotary Club Scholarship Award:

Ryan Hickey \$ 500.00

Rebekah Assembly of Massachusetts Scholarship Award:

| | |
|-----------|-----------|
| Amy Lynch | \$ 500.00 |
|-----------|-----------|

Tewksbury Cultural Council Scholarship Awards:

| | |
|-------------------|-------------|
| Andrea Bravernick | \$ 1,000.00 |
| Andrew Choy | \$ 1,000.00 |
| Jessica Ghanooni | \$ 1,000.00 |
| Jason Santos | \$ 1,000.00 |
| Daryl Wolfendon | \$ 1,000.00 |

Tewksbury D.A.R.E. Parent Advisory Committee Scholarship Awards:

| | |
|--------------------|-----------|
| Jacqueline Fortier | \$ 500.00 |
| Patricia Lane | \$ 500.00 |
| Megan Machado | \$ 500.00 |
| Sonia Martins | \$ 500.00 |
| Robyn McLeish | \$ 500.00 |
| Matthew Pellegrino | \$ 500.00 |
| Katelin Westaway | \$ 500.00 |

Tewksbury Garden Club Scholarship Award:

| | |
|--------------------|-----------|
| Jacqueline Fortier | \$ 400.00 |
|--------------------|-----------|

Tewksbury Golden Age Club Scholarship Awards:

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|--------------------|-----------|
| Jacqueline Fortier | \$ 300.00 |
| Victoria Gondola | \$ 300.00 |

Tewksbury Lions Club Scholarship Awards:

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|--------------------|-------------|
| Jacqueline Fortier | \$ 1,000.00 |
| Monica Frank | \$ 1,000.00 |
| Amy Lynch | \$ 1,000.00 |
| Crystal Ornelas | \$ 1,000.00 |
| Brad Sullivan | \$ 1,000.00 |
| Amanda Venuti | \$ 1,000.00 |
| Courtney Walls | \$ 1,000.00 |
| Katelin Westaway | \$ 1,000.00 |

Tewksbury Recycling Committee/BFI Scholarship Award:

| | |
|--------------------|-------------|
| Jacqueline Fortier | \$ 1,000.00 |
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Tewksbury Rotary Club Scholarship Awards:

| | |
|----------------|-------------|
| Jonathan Adams | \$ 1,000.00 |
| Amy Lynch | \$ 1,000.00 |
| Kenneth Meharg | \$ 1,000.00 |
| Maura Mortimer | \$ 1,000.00 |

Tewksbury/Wilmington Emblem Club #381 Scholarship Award:

| | |
|----------------|-----------|
| Jonathan Adams | \$ 500.00 |
|----------------|-----------|

PERSONAL DONORS:**Aldred: The Derek Aldred Memorial Scholarship Award:**

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|------------------|-------------|
| Katelin Westaway | \$ 1,000.00 |
|------------------|-------------|

Anderson: The Mabel Anderson Memorial Scholarship Award:

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|--------------|-----------|
| Kyle Ritchie | \$ 300.00 |
|--------------|-----------|

Byers: Willie Byers Memorial Scholarship Award:

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| Matthew Pellegrino | \$ 500.00 |
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Coakley: The Edward J. and Phyllis E. Coakley Scholarship Award:

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|-----------------|-----------|
| Terence Hegarty | \$ 100.00 |
|-----------------|-----------|

Currier: The A. Elizabeth Currier Memorial Scholarship Awards:

| | |
|----------------|-----------|
| Leah Boudreau | \$ 500.00 |
| Patricia Lane | \$ 500.00 |
| Maura Mortimer | \$ 500.00 |
| Derek Robson | \$ 500.00 |
| Kelli Sullivan | \$ 500.00 |

DeGregorio: The Owen William DeGregorio Scholarship Award:

| | |
|---------------|-------------|
| James McIsaac | \$ 1,000.00 |
|---------------|-------------|

Flynn: The Daniel Flynn Memorial Scholarship Award:

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|----------------|-----------|
| Kelli Sullivan | \$ 500.00 |
|----------------|-----------|

Gillette: The Daniel S. Gillette, Jr. Memorial Scholarship Awards:

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|------------------|-------------|
| Jacquelyn Conlon | \$ 500.00 |
| Michael Donovan | \$ 1,000.00 |
| Kyle Hamilton | \$ 500.00 |

Horgan: The Robert V. Horgan Memorial Scholarship Award:

| | |
|--------------------|-------------|
| Matthew Pellegrino | \$ 1,000.00 |
|--------------------|-------------|

McGowan: The Muriel E. McGowan Scholarship Award:

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|----------------|-------------|
| Jonathan Adams | \$ 2,500.00 |
|----------------|-------------|

Miceli: The Honorable James Miceli Scholarship Award:

| | |
|------------|-----------|
| Mark Dolan | \$ 300.00 |
|------------|-----------|

O'Brien: The Kevin J. O'Brien Memorial Scholarship Awards:

| | |
|----------------|-------------|
| Patricia Lane | \$ 1,000.00 |
| James McCarthy | \$ 1,000.00 |

Peabody: The Grace and Bill Peabody Foundation Scholarship Award:

| | | |
|----------------|------------|--------------------|
| Matthew Gillis | \$7,500.00 | [\$ 2,500 per yr.] |
|----------------|------------|--------------------|

Perrin: The Holly Perrin Memorial Scholarship Award:

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|--------------|-------------|
| Lauren Welch | \$ 1,000.00 |
|--------------|-------------|

Peters: The Linda Peters Memorial Scholarship Awards:

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|----------------|-------------|
| Amanda Andella | \$ 1,500.00 |
| Arnold Martel | \$ 1,500.00 |
| Jillian Tarani | \$ 1,500.00 |
| Lauren Welch | \$ 1,500.00 |

Scott: The David W. Scott Memorial Scholarship Awards:

| | |
|-----------------|-------------|
| Daniel Fratalia | \$ 1,000.00 |
| Adam Hill | \$ 1,000.00 |
| Sean Walsh | \$ 1,000.00 |

Sheehan: Francis B. Sheehan Memorial Scholarship Awards:

| | |
|------------------|-----------|
| Brian Fredriksen | \$ 500.00 |
| Kyle Ritchie | \$ 500.00 |

Staniewicz: The Bill Staniewicz Memorial Scholarship Awards:

| | |
|-----------------|-------------|
| Daniel Fratalia | \$ 2,000.00 |
| Sean Walsh | \$ 2,000.00 |

Strong: The Gary Strong Memorial Scholarship Award:

| | |
|------------|-----------|
| Sean Walsh | \$ 500.00 |
|------------|-----------|

Trainor: The Therese and Pie Trainor Memorial Scholarship Awards:

| | |
|------------------|-----------|
| Ryan Fitzmaurice | \$ 500.00 |
| Jessica Weisse | \$ 500.00 |

Zawacki: The Joshua Zawacki Memorial Scholarship Awards:

| | |
|----------------|-------------|
| Mark Dolan | \$ 1,500.00 |
| Megan Harriman | \$ 1,500.00 |

Excellence in Achievement Scholarship Award:

| | |
|--------------|-----------|
| Matthew Soni | \$ 500.00 |
|--------------|-----------|

PRIVATE, PROFESSIONAL, AND OTHER ORGANIZATIONS DONORS**AFL-CIO Scholarship Award:**

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|------------------|-------------|
| *John Drinkwater | \$ 1,000.00 |
|------------------|-------------|

Assumption College Scholarship Awards:

| | | |
|----------------------------|-------------|-----------------------|
| *Lindsey Cabral | \$28,000.00 | [\$ 7,000.00 per yr.] |
| *Jeffrey Hyland (Lyceum) | \$28,000.00 | [\$ 7,000.00 per yr.] |
| *Matthew McGinnis (Lyceum) | \$32,000.00 | [\$ 8,000.00 per yr.] |

Boston University Scholarship Awards:

| | | |
|----------------|-------------|------------------------|
| *Leah D'Errico | \$88,000.00 | [\$ 22,000.00 per yr.] |
|----------------|-------------|------------------------|

Catholic University, Parish, and CUA Scholarship Awards:

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|-------------------------------|-------------|
| *Terence Hegarty (University) | \$ 8,000.00 |
| *Terence Hegarty (Parish) | \$ 3,000.00 |
| *Terence Hegarty (CUA) | \$ 1,000.00 |

Certificate of Mastery Awards:

| | | |
|-----------------|--------------|----------------------------|
| *Kenneth Meharg | \$ 20,848.00 | [\$ 5,212.00 per yr.] est. |
| *Matthew Soni | \$ 20,848.00 | [\$ 5,212.00 per yr.] est. |

College of the Holy Cross Scholarship Award:

| | | |
|-----------------|--------------|------------------------|
| *Courtney Walls | \$ 55,200.00 | [\$ 13,800.00 per yr.] |
|-----------------|--------------|------------------------|

Commonwealth Scholarship Awards:

| | | |
|-------------------|--------------|-----------------------------|
| *Matthew Belmonte | \$ 40,000.00 | [\$ 10,000.00 per yr.] est. |
| *Steven Ward | \$ 40,000.00 | [\$ 10,000.00 per yr.] est. |

Daniel Webster College Presidential Scholarship Award:

| | | |
|----------------|--------------|-----------------------|
| *Brad Sullivan | \$ 30,000.00 | [\$ 7,500.00 per yr.] |
|----------------|--------------|-----------------------|

Elms College Presidential Scholarship Award:

| | | |
|----------------|--------------|-----------------------|
| *Robyn McLeish | \$ 36,000.00 | [\$ 9,000.00 per yr.] |
|----------------|--------------|-----------------------|

Grand Lodge of Masons of Massachusetts Scholarship Award:

| | | |
|---------------------|-------------|--|
| *Jacqueline Fortier | \$ 5,000.00 | |
|---------------------|-------------|--|

Hofstra University Merit Scholarship Award:

| | | |
|-------------------|--------------|-----------------------|
| *Andrew Imbriglio | \$ 24,000.00 | [\$ 6,000.00 per yr.] |
|-------------------|--------------|-----------------------|

Merrimack College Academic Scholarship:

| | | |
|-------------------|--------------|-----------------------|
| *Victoria Gondola | \$ 32,000.00 | [\$ 8,000.00 per yr.] |
|-------------------|--------------|-----------------------|

Middlesex Women's Club Scholarship Award:

| | | |
|---------------------|-----------|--|
| *Jacqueline Fortier | \$ 700.00 | |
|---------------------|-----------|--|

MTC Technical Achievement Scholarship Award:

| | | |
|---------------|-------------|--|
| *Derek Robson | \$ 2,000.00 | |
|---------------|-------------|--|

Northeastern University Excellence Scholarship Award:

| | | |
|----------------|--------------|-----------------------|
| *Sonia Martins | \$ 45,000.00 | [\$ 7,500.00 per yr.] |
|----------------|--------------|-----------------------|

Norwich University Academic Scholarship Award:

| | | |
|----------------|--------------|-----------------------|
| *Patrick Irwin | \$ 22,000.00 | [\$ 5,500.00 per yr.] |
|----------------|--------------|-----------------------|

Quinnipiac University Scholarship Award:

| | | |
|---------------|--------------|-----------------------|
| *Lauren Welch | \$ 26,520.00 | [\$ 6,630.00 per yr.] |
|---------------|--------------|-----------------------|

Rensselaer Polytechnic Institute Math and Science Medal and Scholarship Award:

| | | |
|-------------------|--------------|------------------------|
| *Matthew Belmonte | \$ 40,000.00 | [\$ 10,000.00 per yr.] |
|-------------------|--------------|------------------------|

Rensselaer Polytechnic Institute Alumni Scholarship Award:

| | | |
|--------------|--------------|------------------------|
| *Ryan Hickey | \$ 67,500.00 | [\$ 13,500.00 per yr.] |
|--------------|--------------|------------------------|

Roger Williams University Scholarship Award:

| | | |
|---------------|--------------|------------------------|
| *Emily Angelo | \$ 75,000.00 | [\$ 15,000.00 per yr.] |
|---------------|--------------|------------------------|

Saint Anselm Presidential Scholarship Award:

| | | |
|--------------|--------------|-----------------------|
| *Paul Mucica | \$ 24,000.00 | [\$ 6,000.00 per yr.] |
|--------------|--------------|-----------------------|

Southern New Hampshire University Hospitality and Alumni Scholarship Awards:

| | | |
|---------------------------------|--------------|-----------------------|
| *Jennifer Bradley (Hospitality) | \$ 28,000.00 | [\$ 7,000.00 per yr.] |
| *Jennifer Bradley (Alumni) | \$ 4,000.00 | [\$ 1,000.00 per yr.] |

Stonehill College Presidential Scholarship Award:

| | | |
|-------------|--------------|-----------------------|
| *Mark Dolan | \$ 34,000.00 | [\$ 8,500.00 per yr.] |
|-------------|--------------|-----------------------|

University of Hartford Scholarship Award:

| | | |
|-----------------|--------------|-----------------------|
| *Brian Gillotte | \$ 32,000.00 | [\$ 8,000.00 per yr.] |
|-----------------|--------------|-----------------------|

University of Kentucky Scholarship Award:

| | | |
|-----------------------|-------------|--|
| *Christopher Magruder | \$ 2,500.00 | |
|-----------------------|-------------|--|

University of Massachusetts – Lowell Dean's Scholarship Award

| | | |
|-----------------|-------------|--------------------|
| *Maura Mortimer | \$ 8,000.00 | [\$ 2,000 per yr.] |
|-----------------|-------------|--------------------|

University of Miami Alumni Scholarship Award:

| | | |
|---------------|--------------|-----------------------|
| *Monica Frank | \$ 32,400.00 | [\$ 8,100.00 per yr.] |
|---------------|--------------|-----------------------|

Wentworth Institute of Technology Scholarship Awards:

| | | |
|-----------------|--------------|-----------------------|
| *Zachary Samsel | \$ 12,000.00 | [\$ 3,000.00 per yr.] |
|-----------------|--------------|-----------------------|

| | | |
|-----------------------------------|--------------|-----------------------|
| *Adam Stotik (Presidential Award) | \$ 32,000.00 | [\$ 8,000.00 per yr.] |
|-----------------------------------|--------------|-----------------------|

WNEC Trustee Scholarship Award:

| | | |
|-------------|-------------|--|
| *Derek Bent | \$ 5,000.00 | |
|-------------|-------------|--|

*Counselors Have Been Notified of Student Acceptance of Scholarship from Donor

SCHOOL ORGANIZATIONS DONORS:**Dewing: The Loella F. Dewing School P.A.C. Scholarship Awards:**

| | |
|----------------|-----------|
| Kenneth Meharg | \$ 500.00 |
| Maura Mortimer | \$ 500.00 |

Food Services: The Ruth Sutton Scholarship Awards:

| | |
|--------------------|-----------|
| Amanda Andella | \$ 200.00 |
| Jacqueline Fortier | \$ 200.00 |
| Karen Lazzara | \$ 200.00 |
| Jillian Tarani | \$ 200.00 |

Heath Brook: The Heath Brook School P.A.C. Scholarship Award:

| | |
|--------------|-----------|
| Emily Angelo | \$ 500.00 |
|--------------|-----------|

Heath Brook: PAC Scholarship Award in Memory of Angela Munro:

| | |
|---------------|-----------|
| Julie Salvato | \$ 500.00 |
|---------------|-----------|

Middle School: The J.W.Wynn Middle School P.A.C. Scholarship Awards:

| | |
|-----------------|-----------|
| Sarah Donohue | \$ 750.00 |
| Brian Gillotte | \$ 750.00 |
| Karen Lazzara | \$ 750.00 |
| Peter MacKenzie | \$ 750.00 |

Middle School: The J.W.Wynn Middle School Student Council Scholarship Awards:

| | |
|----------------------|-----------|
| Danielle Corsino | \$ 500.00 |
| Jacqueline Fortier | \$ 500.00 |
| Christopher Magruder | \$ 500.00 |

North Street: The North Street School P.A.C. Scholarship Awards:

| | |
|------------------|-----------|
| Jonathan Adams | \$ 250.00 |
| Jennifer Gariepy | \$ 250.00 |
| Terence Hegarty | \$ 250.00 |

Trahan School: Louise Davy Trahan School and P.A.C. Scholarship Award:

| | |
|--------------------|-----------|
| Matthew Pellegrino | \$ 800.00 |
|--------------------|-----------|

TMHS: TMHS P.A.C. Scholarship Awards:

| | |
|---------------------|-----------|
| Jennifer Bazzinotti | \$ 750.00 |
| Lindsey Cabral | \$ 750.00 |
| Christine Cook | \$ 750.00 |
| Heather Fabiano | \$ 750.00 |
| Donna Rodwell | \$ 750.00 |
| Michael Stone | \$ 750.00 |
| Amanda Venuti | \$ 750.00 |
| Kyle Wolfendon | \$ 750.00 |

TMHS: TMHS P.A.C. Anthony J. Romano Honorary Scholarship Award:

| | |
|----------------|-----------|
| Jonathan Adams | \$ 750.00 |
|----------------|-----------|

TMHS: The TMHS Arts Scholarship Award:

| | |
|-------------------|-----------|
| Andrea Bravernick | \$ 200.00 |
|-------------------|-----------|

TMHS: The TMHS Music Loyalty Scholarship Awards:

| | |
|---------------|-----------|
| Tabia Roberts | \$ 400.00 |
| Rebecca Walsh | \$ 400.00 |

TMHS: The TMHS Music Association Scholarship Awards:

| | |
|---------------|-----------|
| Tabia Roberts | \$ 400.00 |
| Rebecca Walsh | \$ 400.00 |

TMHS: The TMHS National Honor Society Scholarship Awards:

| | |
|------------------|-----------|
| Jonathan Adams | \$ 125.00 |
| Matthew Belmonte | \$ 125.00 |
| Leah D'Errico | \$ 100.00 |
| Lindsay Donnelly | \$ 125.00 |
| Aleece D'Onofrio | \$ 100.00 |
| Robyn McLeish | \$ 100.00 |
| Caroline Power | \$ 100.00 |
| Julie Salvato | \$ 125.00 |
| Katelin Westaway | \$ 100.00 |

TMHS: The TMHS Student Council Scholarship Awards:

| | |
|----------------------|-------------|
| Danielle Corsino | \$ 1,200.00 |
| Jacqueline Fortier | \$ 800.00 |
| Christopher Magruder | \$ 800.00 |

The Tewksbury Teachers Association Scholarship Awards:

| | |
|--------------------|-----------|
| Robyn McLeish | \$ 500.00 |
| Matthew Pellegrino | \$ 500.00 |

SPORTS ORGANIZATIONS DONORS:

TMHS Field Hockey Boosters Scholarship Awards:

| | |
|--------------------|------------------|
| Erin Costello | Amy Lynch |
| Sarah Donohue | Maura Mortimer |
| Patricia Lane | Kimberly Perkins |
| AnnMarie Latta | Jennafer Procani |
| TOTAL: \$ 1,675.00 | |

The Dennis McGadden Track and Cross Country Scholarship Awards:

| | |
|--------------------|--------------------|
| Kosta Agganis | Monica Frank |
| Brian Bastien | Amy Lynch |
| Matthew Belmonte | Matthew McGinnis |
| Lindsey Cabral | Crystal Ornelas |
| Julie Doherty | Lindsay Orpen |
| John Drinkwater | Stephanie Starling |
| Craig Fothergill | Courtney Walls |
| TOTAL: \$ 9,100.00 | |

Tewksbury Boy's Youth Basketball:

*** James G. Mendonca, Jr. Memorial Scholarship Award:**

| | |
|---------------|-----------|
| Jason DiPrimo | \$ 500.00 |
|---------------|-----------|

Tewksbury Boy's Youth Basketball Scholarship Award:

| | |
|---------------------|-----------|
| Brandon Chamberland | \$ 500.00 |
|---------------------|-----------|

Tewksbury Girls Recreational Basketball Scholarship Awards:

| | |
|--------------------|------------------|
| Leah Boudreau | Monica Frank |
| Jennifer Bradley | Jennifer Gariepy |
| Rachel Burke | Lindsay Orpen |
| Heather Fabiano | Katelin Westaway |
| TOTAL: \$ 1,700.00 | |

Tewksbury Girls Softball League Scholarship Awards:

| | |
|------------------|-----------|
| Leah Boudreau | \$ 400.00 |
| Aleece D'Onofrio | \$ 400.00 |
| Heather Fabiano | \$ 400.00 |
| Karen Lazzara | \$ 400.00 |
| Amanda Venuti | \$ 400.00 |
| Lauren Welch | \$ 400.00 |

Tewksbury Redmen Baseball Boosters Scholarship Awards:

| | |
|---------------------|-----------|
| Michael Bordonaro | \$ 100.00 |
| Brandon Chamberland | \$ 100.00 |
| Mark Dolan | \$ 100.00 |
| Andrew Imbriglio | \$ 100.00 |
| Arnold Martel | \$ 100.00 |
| James McCarthy | \$ 100.00 |
| David Scibilia | \$ 100.00 |
| William Sullivan | \$ 100.00 |
| Sean Walsh | \$ 100.00 |

Tewksbury Redmen Basketball Booster Club Scholarship Awards:

| | |
|-------------------|-----------|
| Jonathan Adams | \$ 200.00 |
| Paulo Caldoncelli | \$ 200.00 |
| Jason DiPrimo | \$ 200.00 |
| Brian Fredrickson | \$ 200.00 |
| Andrew Imbriglio | \$ 200.00 |
| John Muccio | \$ 200.00 |
| Kyle Ritchie | \$ 200.00 |

James Sullivan, Sr. Basketball Coaches Scholarship Award:

| | |
|-------------------|-----------|
| Brian Fredrickson | \$ 200.00 |
|-------------------|-----------|

Tewksbury Redmen Football Club Scholarship Awards:*** The Coach Bob Aylward Redmen Football Scholarship Award:**

| | |
|-------------|-------------|
| Ryan Hickey | \$ 1,000.00 |
|-------------|-------------|

*** The Richard A. Barelle Memorial Scholarship Award:**

| | |
|----------------|-------------|
| David Scibilia | \$ 1,000.00 |
|----------------|-------------|

*** The James E. Brooks Memorial Redmen Football Scholarship Awards:**

| | |
|----------------|-------------|
| Derek Bent | \$ 1,000.00 |
| James McCarthy | \$ 1,000.00 |
| Kenneth Meharg | \$ 1,000.00 |

*** Redmen Football Club Memorial Scholarship Award:**

| | |
|------------------|-------------|
| Matthew McGinnis | \$ 1,000.00 |
|------------------|-------------|

Tewksbury Redmen Basketball Cheerleaders Scholarship Awards:

| | |
|------------------|-----------|
| Christina Cozza | \$ 250.00 |
| Nicole Murphy | \$ 250.00 |
| Brianne Sullivan | \$ 250.00 |

Tewksbury Redmen Football Cheerleaders Scholarship Awards:

| | |
|------------------|-----------|
| Jacquelyn Conlon | \$ 200.00 |
| Suzanne Connor | \$ 200.00 |
| Jessica Sullivan | \$ 200.00 |
| Lauren Welch | \$ 200.00 |

Tewksbury Redmen Hockey Club:*** George "Timmy" Ernest Memorial Scholarship Awards:**

| | |
|------------------|-----------|
| Matthew Belmonte | \$ 500.00 |
| Daniel Fratalia | \$ 500.00 |
| Adam Hill | \$ 500.00 |
| Matthew Soni | \$ 500.00 |
| Sean Walsh | \$ 500.00 |

Tewksbury Redmen Hockey Scholarship Awards:

| | |
|------------------|-----------|
| Matthew Belmonte | \$ 250.00 |
| Richard Chambers | \$ 250.00 |
| Ryan Fitzmaurice | \$ 250.00 |
| Daniel Fratalia | \$ 250.00 |
| Matthew Ginsburg | \$ 250.00 |
| Adam Hill | \$ 250.00 |
| Matthew Soni | \$ 250.00 |
| Sean Walsh | \$ 250.00 |

Tewksbury Youth Football/Cheerleader Most Deserving Student Scholarship Awards:

| | |
|------------------|-----------|
| Danielle Corsino | \$ 250.00 |
| Ryan Hickey | \$ 250.00 |
| James McCarthy | \$ 250.00 |
| Kenneth Meharg | \$ 250.00 |
| Nicole Murphy | \$ 250.00 |
| Thomas Nota | \$ 250.00 |
| Jessica Sullivan | \$ 250.00 |
| Lauren Welch | \$ 250.00 |
| Katelin Westaway | \$ 250.00 |

Tewksbury Youth Football Memorial Scholarship Awards:

| | |
|-----------------|-----------|
| Christina Cozza | \$ 500.00 |
| Heather Fabiano | \$ 500.00 |

Tewksbury Youth Football "Billy" Bird Memorial Scholarship Award:

| | |
|------------------|-----------|
| Matthew McGinnis | \$ 500.00 |
|------------------|-----------|

Tewksbury Youth Skating Association: Fred Carpenito Memorial Scholarship Awards:

| | |
|-----------------|-------------|
| Daniel Fratalia | \$ 1,000.00 |
| Sean Walsh | \$ 1,000.00 |

Tewksbury Youth Skating Association Scholarship Awards:

| | |
|------------------|-----------|
| Matthew Belmonte | \$ 200.00 |
| Marc Bristol | \$ 200.00 |
| Adam Butland | \$ 200.00 |
| Richard Chambers | \$ 200.00 |
| Ryan Hickey | \$ 200.00 |
| Adam Hill | \$ 200.00 |
| Matthew Soni | \$ 200.00 |

Tewksbury Youth Soccer League Scholarship Awards:

| | |
|-------------------|-----------|
| Jonathan Adams | \$ 400.00 |
| Brian Fredrickson | \$ 400.00 |
| Victoria Gondola | \$ 400.00 |

| | |
|---------------|------------------------|
| TOTAL: | \$ 1,124,641.00 |
|---------------|------------------------|

School Department General Information

Registration for School in September 2002

Kindergarten; A child must be five years old as of August 31st of the year entering Kindergarten.

First Grade: A child must be six years old as of August 31st of the year entering the First Grade

NO SCHOOL ANNOUNCEMENTS

School will be closed only in the case of severe inclement weather. The schedule of no school signals in effect for this school year follows:

A series of three sets of two blasts (2-2-2) on the horns at the State Hospital and the following times for groups indicated.

6:45 A.M. - No School At All Schools

7:45 A.M. - No School At All Elementary Schools Only (K-5)

Announcements relative to closing schools for inclement weather will be carried by radio stations WRKO, WCAP, WCCM, WBZ and WHDH.

When it is in the interest of students' safety to delay the opening of school due to weather conditions, the Superintendent will notify the public by the same procedure as "no school" announcements.

Enrollment by Schools

Tewksbury Public Schools

| SCHOOL | PK | K | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | UGR | Totals |
|---------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
| ELLA FLEMING | 106 | | | | | | | | | | | | | | | 106 |
| NORTH STREET | | 86 | 93 | 72 | 91 | 86 | | | | | | | | | 14 | 442 |
| TRAHAN | 3 | 78 | 72 | 71 | 79 | 68 | | | | | | | | | 4 | 375 |
| DEWING | | 137 | 123 | 134 | 120 | 142 | | | | | | | | | 33 | 689 |
| HEATH BROOK | | 81 | 91 | 86 | 103 | 91 | | | | | | | | | 49 | 501 |
| RYAN | | | | | | | 387 | 391 | | | | | | | | 778 |
| WYNN MIDDLE | | | | | | | | | 421 | 407 | | | | | | 828 |
| MEMORIAL HIGH | | | | | | | | | | | 312 | 287 | 236 | 184 | | 1,019 |
| TOTALS | 109 | 382 | 379 | 363 | 393 | 387 | 387 | 391 | 421 | 407 | 312 | 287 | 236 | 184 | 100 | 4,738 |

Staff List

TEWKSBURY PUBLIC SCHOOLS 2002 – 2003 ROSTER

SCHOOL COMMITTEE

| | |
|---------------------|------|
| Scott Consaul, Esq. | 2003 |
| Edward K. Dick | 2004 |
| Ruth M. Perrin | 2003 |
| Dennis J. Peterson | 2004 |
| Joe Russell | 2005 |

ADMINISTRATION

Christine L. McGrath, Ph.D. - Superintendent of Schools
 Mr. John F. Quinn - Business Manager
 Joseph C. Walsh Ed.D - Assistant Supt. Curriculum & Instruction
 Loreen R. Bradley - K-8 Curriculum Coordinator
 Dr. Michele DeAngelis - Director of Student Services
 Cheryl Porcaro - Systemwide Team Chairperson
 Thomas Lovett -Data Processing Coordinator
 Joan Dey - Director of Food Services
 Cynthia Basteri – Director of Extended & Community Education Services

MEMORIAL HIGH SCHOOL

Dr. Gerald Ferris, Principal
 Robert Aylward, Assistant Principal
 Dolores Sullivan, Assistant Principal

DEPARTMENT HEAD, HUMANITIES - *ROBERT MACDOUGALL*

ENGLISH

Carole Acone-Callahan
 Jennifer Brooks
 Elsa Marsh
 Susan Patterson
 Catherine Stack
 Ginamarie Talford
 John Weir, III
 Jacqueline Williamson

SOCIAL STUDIES

Brian Aylward
 Donna Boudreau-Hill
 Robert Doolan
 Robert MacDougall
 Robert Manzi
 Sharon Milenavich
 William Piscione
 Dustine Puma
 Nadine Sutliff

DEPT. HEAD, MATHEMATICS, SCIENCE AND TECHNOLOGY - GERALD RIDEOUT**MATHEMATICS**

Debra Ayube
Robert Brigida
George Economou
Annina Faraci
MaryBeth McGinn
Maureen McNamara
Eileen Osborne
Elizabeth Papik
Roger Pilat
Gerald Rideout
Katherine Avila Robillard
Steven Schultheis

SCIENCE

John Clarke
Edward Cremins
Susan Davis
Mary Herlihy
Kathleen Mofield
Patricia Pishock
James Pringle
Stanley White
Rhonda Yeats

COMPUTER SCIENCE

Sandra Bettencourt
Frances DeLucia
Susan Sullivan

DEPARTMENT HEAD, FINE ARTS - DONALD SULLIVAN**WORLD LANGUAGES**

Henrietta Araujo
Michael Jane Buss
Leo Frechette (Consultant, Foreign
Exchange Program)
Claire Piscione
Maureen Rideout
Jennifer Spaulding
Tara Ann Sujko

ART

Daniel Rogacki
Agnieszka Sosnowska
Donald Sullivan

MUSIC

Hillary Anderson (Shared with
Ryan/Middle Schools)

DEPARTMENT HEAD, APPLIED ARTS - LAWRENCE BASTERI**BUSINESS/MARKETING**

Dale Black
James Sullivan, Jr.

**FAMILY AND CONSUMER
SCIENCE**

Nicole Smallidge

TECHNOLOGY EDUCATION

Lawrence Basteri
Joseph Frank

DEPARTMENT HEAD GUIDANCE - ELISABETH GAFFNEY**GUIDANCE**

Kelly Benzing (Shared with Middle School)
Elisabeth Gaffney
Linda Hair-Sullivan
Brian Hickey

PHYSICAL EDUCATION

Steven Levine
Erin McSheehy (Shared with Ryan)
Patricia Ryser

HEALTH

Karen Ferreira
Denise Saindon

IN HOUSE SUSPENSION

Joseph DeGrosso

SECURITY MONITOR

Kenneth Ryan

MEDIA

Joseph Dermody

| | |
|---|--|
| <u>LIBRARIAN</u> Gertrude Carey | |
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JOHN W. WYNN MIDDLE SCHOOL
James McGuire, Principal
John Donoghue, Assistant Principal

| | |
|---|---|
| <u>TEAM 7A - Roseanne Kolack, T.L.</u> <u>ENGLISH</u> Nancy Laws <u>SOCIAL STUDIES</u> Warren Yaeger* <u>MATH</u> Joanna Krainski* <u>SCIENCE</u> John Jarek | <u>TEAM 7B - Cathleen Bilodeau, T.L.</u> <u>ENGLISH</u> Sarah Redman <u>SOCIAL STUDIES</u> Thomas Ryan <u>MATH</u> Cathleen Bilodeau <u>SCIENCE</u> Kathleen Connell |
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| <u>TEAM 7C - Stephanie Pagiavlas, T.L.</u> <u>ENGLISH</u> Kimberly Johnston <u>SOCIAL STUDIES</u> Stephen Prodanas <u>MATH</u> Geraldine Cummings <u>SCIENCE</u> Glen Osterman | <u>TEAM 7D - Frances Rouff, T.L.</u> <u>ENGLISH</u> Julie DeRoche <u>SOCIAL STUDIES</u> Dorothy Graaskamp <u>MATH</u> Ethel Chace <u>SCIENCE</u> Frances Rouff |
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| <u>TEAM 8A - John Byrnes, T.L.</u> <u>ENGLISH</u> John Byrnes <u>SOCIAL STUDIES</u> Patricia Krol <u>MATH</u> Joanne Hession <u>SCIENCE</u> Carol Navetta | <u>TEAM 8B - Kristina Rogers, T.L.</u> <u>ENGLISH</u> John Bresnahan <u>SOCIAL STUDIES</u> Christopher Gagnon <u>MATH</u> Sandra Barnett <u>SCIENCE</u> Kristina Rogers |
|--|--|

| | |
|---|--|
| <p><u>TEAM 8C - Kimberly Bresnahan, T.L.</u></p> <p><u>ENGLISH</u></p> <p>Elaine Speros</p> <p><u>SOCIAL STUDIES</u></p> <p>James LeClair</p> <p><u>MATH</u></p> <p>Vikki Ireland</p> <p><u>SCIENCE</u></p> <p>Kimberly Bresnahan*</p> | <p><u>TEAM 8D - Rosamond Malatesta, T.L.</u></p> <p><u>ENGLISH</u></p> <p>Brian Gouthro</p> <p><u>SOCIAL STUDIES</u></p> <p>Cheryl Witham</p> <p><u>MATH</u></p> <p>Rosamond Malatesta</p> <p><u>SCIENCE</u></p> <p>Cynthia Abate-Upson</p> |
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| | |
|---|--|
| <p><u>ART</u></p> <p>Gail Hamilton</p> <p><u>MUSIC</u></p> <p>Catherine Walker</p> <p><u>INSTRUMENTAL MUSIC</u></p> <p>Hillary Anderson (Shared with High School / Ryan School)</p> <p><u>HEALTH</u></p> <p>Robert McGrath</p> <p>Maura Dearing</p> <p><u>WORLD LANGUAGES</u></p> <p><i>FRENCH</i></p> <p>Florence Souza*</p> <p>Judith Palm</p> <p><u>SPED</u> – Sharon Moser, T.L. *</p> <p>Shared with Ryan School (one half)</p> | <p><u>EXPLORATORY</u></p> <p><i>Team Leader - Richard Otis</i></p> <p><u>COMPUTERS/PHYSICAL EDUCATION</u></p> <p><i>COMPUTERS</i></p> <p>Bonita Hansberry*</p> <p>Richard Zbieg</p> <p><i>PHYSICAL EDUCATION</i></p> <p>Edward Gear</p> <p>Thomas Morrill</p> <p>Susan Scofield</p> <p><u>WRITING</u></p> <p>Pam Koskey</p> <p><u>LIBRARIAN</u></p> <p>Maureen Kelley</p> <p><u>GUIDANCE</u></p> <p>Kelly McFadden</p> <p>Kelly Benzing (Shared with High School)</p> |
|---|--|

JOHN F. RYAN ELEMENTARY SCHOOL
Kevin McArdle, Principal
Karla Conway, Assistant Principal

| | |
|--|---|
| <p><u>TEAM 6A - Agnes Sacramone, T.L.</u></p> <p><u>ENGLISH</u></p> <p>Judi Foley</p> <p><u>SOCIAL STUDIES</u></p> <p>William Kirwin</p> <p><u>MATH</u></p> <p>William Buckley</p> | <p><u>TEAM 6B - Thomas Conlon, T.L.</u></p> <p><u>ENGLISH</u></p> <p>Eileen Gardner</p> <p><u>SOCIAL STUDIES</u></p> <p>Thomas Conlon</p> <p><u>MATH</u></p> <p>Virginia Kirwin</p> |
|--|---|

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|---|--|
| <u>SCIENCE</u> Dolores Sacramone | <u>SCIENCE</u> Robin Reading |
| <u>TEAM 6C - Carol Sagro, T.L.</u> <u>ENGLISH</u> Pamela McDade <u>SOCIAL STUDIES</u> Edward Manzi <u>MATH</u> Brenda Regan <u>SCIENCE</u> Carol Sagro | <u>TEAM 6D - Barbara Gillette-Manna, T.L.</u> <u>ENGLISH</u> Joanne O'Brien <u>SOCIAL STUDIES</u> George Kalarites <u>MATH</u> Barbara Gillette-Manna <u>SCIENCE</u> Christine Cremin |
| <u>TEAM 5A</u> <u>ENGLISH/SOCIAL STUDIES</u> Nicole Rauseo <u>MATH/SCIENCE</u> Ann Read | <u>TEAM 5B</u> <u>ENGLISH/SOCIAL STUDIES</u> Jayne Farnham <u>MATH/ SCIENCE</u> Pamela Shirkoff |
| <u>TEAM 5C</u> <u>ENGLISH/SOCIAL STUDIES</u> Debra Cody <u>MATH/ SCIENCE</u> Elizabeth Peterson | <u>TEAM 5D</u> <u>ENGLISH/SOCIAL STUDIES</u> Mary Jo Gould <u>MATH/SCIENCE</u> Patricia McDonnell |
| <u>TEAM 5E</u> <u>ENGLISH/SOCIAL STUDIES</u> Gus Jardin <u>MATH/ SCIENCE</u> Jennifer Mrozowski | <u>TEAM 5F</u> <u>ENGLISH/SOCIAL STUDIES</u> Scott Winters <u>MATH/ SCIENCE</u> Kim Hillson |
| <u>TEAM 5G</u> <u>ENGLISH/SOCIAL STUDIES</u> Andrée Johnson <u>MATH/ SCIENCE</u> Frances Gath | |

| | |
|--|---|
| <u>ART</u> Diane Slezak <u>MUSIC</u> Marguerite Weidknecht <u>INSTRUMENTAL MUSIC</u> Hillary Anderson (Shared with High/Middle Schools) <u>HEALTH</u> Kristi Flagg <u>COMPUTERS</u> Lisa Bailey Barbara Jagla | <u>PHYSICAL EDUCATION</u> Ronald Drouin James Manley Erin McSheehy (Shared with High School) <u>WORLD LANGUAGES</u> Susan Gagnon <u>READING</u> David Mullen Kimberly Stone Lisa Zullo <u>LIBRARIAN</u> Mary Eldringhoff |
|--|---|

SPED - *Sharon Moser, T.L.* * (One Half – Shared with Middle School)

HEATH BROOK SCHOOL
Pauline King, Principal
Carole Gallo, Head Teacher

| | |
|---|--|
| <u>Kindergarten</u> Linda Austin Kathleen Ford <u>Grade 1</u> Susan LaMotte Helen Matysczak Joanne Morrissey Maureen Whitehead <u>Grade 2</u> Joan Ciambella Diane Davos Dorothy Foley Brenda McWilliams | <u>Grade 3</u> Mary (Molly) Crowley Elaine Fiske Lori Hyland Jaime Lane <u>Grade 4</u> Chris Hassan Marcia Kalarites Mary Loosen Jennifer Siopes <u>Chapter I - Reading</u> Julie Flanagan |
|---|--|

LOELLA F. DEWING SCHOOL
Cathy Ronan, Principal
Donna LeCam, Head Teacher
Elizabeth Robinson Head Teacher

| | |
|--|--|
| <u>Kindergarten</u> Kathleen MacLeod Maureen McSheehy Kristi Rodgers <u>Grade 1</u> Lisa Cournoyer Patricia Fabrizio Maryellen Hirtle Lynn Francisco-Marsh Claire Reed Patricia Stratis <u>Grade 2</u> Maureen Kane Jane Kelley Shirley Sanford Carole Sullivan Shelley Terris Barbara Vitallo | <u>Grade 3</u> Nancy Boyle Maureen Buckley Mary Ann Primerano Patricia Tellier Loren Vella <u>Grade 4</u> Shannon Demos Michelle McGrath Lisa Parker Jeanne Pincher Sandra Ryan |
|--|--|

LOUISE DAVY TRAHAN SCHOOL
George Paul, Principal
Christine Themeles, Head Teacher

| | |
|--|---|
| <u>Kindergarten</u> Jennifer Marcella Kathleen Mootrey <u>Grade 1</u> Maureen Jackman Ann O'Hara Betty Themeles <u>Grade 2</u> Catherine Brimer Donna Mooney Christine Themeles | <u>Grade 3</u> Trudi Hennemuth Karen Ware Elizabeth Zambella <u>Grade 4</u> Patricia Dias Barbara Krueger Judith Middleton <u>Chapter I</u> Catherine Gagne (Part time) |
|--|---|

NORTH STREET SCHOOL
Ralph Natola, Principal
Marjorie Conlon, Head Teacher

| | |
|--|---|
| <p><u>Kindergarten</u></p> <p>Dolores Harrison Marjorie Petalas</p> <p><u>Grade 1</u></p> <p>Ann Conlon Sheila Gurry Rita O'Sullivan Catherine Ventura</p> <p><u>Grade 2</u></p> <p>Deborah Brewin Teresa Enos Denise Morandi</p> | <p><u>Grade 3</u></p> <p>Mary Lou Adams Alma Davis Cassandra Edell Elizabeth Krzesinski</p> <p><u>Grade 4</u></p> <p>Karen Cintolo Marjorie Conlon Theresa Follett Kim Gagnon</p> <p><u>Title I</u></p> <p>Nancy Kalajian</p> |
| <p>ELEMENTARY SPECIALISTS</p> <p><u>Elementary Librarian</u></p> <p>Jamie Foss</p> <p><u>Reading Specialists</u></p> <p>Catherine Gagne - North Street (Part time) Gloria Graves – Trahan Susan Lachance - Heath Brook Elizabeth Robinson – Dewing</p> <p><u>Elementary Art</u></p> <p>Kristen Kosiba – Dewing/North Street Linda Malone – Heath Brook/Trahan</p> <p><u>Elementary Music</u></p> <p>Marie Maranville - Dewing/North Street Andrea O'Donnell - Trahan/Heath Brook</p> <p><u>Elementary Physical Education</u></p> <p>Jodi Higgins - Dewing/North Street David Marcus - Heath Brook/Trahan</p> <p><u>Health Educator</u></p> <p>Mary Laffey</p> | <p><u>Behavior Management Facilitator</u></p> <p>Robert Ware</p> <p><u>Attendance Officer</u></p> <p>George Hazel</p> <p><u>Gifted and Talented</u></p> <p>Rosamond Dorrance</p> <p><u>K-4 Technology Curriculum Specialist</u></p> <p>Kathy Santilli</p> |

SPECIAL EDUCATION DEPARTMENT

School Adjustment Counselors and School Psychologists

Marsha Audette - North St/Dewing Schools
 Alexandra Comer – Ryan School
 Linda Hamilton - Trahan/High Schools
 Colleen Leary – Dewing School
 Mariellen Nastasi - Heath Brook/Trahan Schls
 Jennifer Reimold - Middle School

Speech Therapists

Maureen (Kerrigan) Boyden – Ryan/M.S./H.S.
 Kristen R. DiAntonio – North Street/Trahan
 Jan Fuller - Ella Fleming School
 Heather Hanson – Dewing
 Stefanie Waitte – Heath Brook

Early Childhood Specialist

Donna Greene – Ella Flemings School
 Patricia Keddie – Ella Flemings School
 Lisa Marcheterre - Ella Flemings School

P.D.D.

Patricia Martel – Trahan School

Physical Therapist

Jennifer Merrill – Systemwide

Occupational Therapist

Gail Bliss – Systemwide

English as a Second Language Tutor

Mary DiCiaccio

Early Childhood Facilitator

Mary Ann Storms

Moderate Special Needs Specialists

Mary Beth Aiello - Heath Brook School
 Kathleen Anderson – Ryan School
 Karen Bancroft – Heath Brook School
 Donna Blakeslee – High School
 Kara Buckley – Middle School
 Antonette Byrnes – Middle School
 Emily Cotter – Dewing School
 Nancy Farrey-Forsyth – Middle School
 Patrick Galligan - High School Cs Mgr./TL
 Carole Ann Gallo – Heath Brook School
 Kevin Gibson – Ryan School
 Donna Graham – Ryan School
 Robyn Hakala – Dewing School
 Lisa Hughes – North Street School
 Gretchen Hummrich – Ryan School
 Kim Hynes – Ryan School
 Kaspar Kasparian – Middle School
 Sandra Keefe – Ryan School
 Mary Kennedy – High School
 Carolyn Kibbe – High School, Hearing Imp.
 Roseanne Kolack – Middle School
 Kimberly LaFland – Heath Brook (Kind.)
 Renee Langlais – Heath Brook
 Donna LeCam – Dewing School
 Joan Lynch – North Street/Ryan Schools
 Mary Manseau – Trahan/Middle School
 Patrick McAndrews – High School
 Sharon Moser – Middle/Ryan School Cs Mgr.
 Mary Elizabeth Nee – Heath Brook School
 Courtney Newberg – Dewing School
 Stephanie Pagiavlas – Middle School
 Diane Pellegrini – Ryan School
 Janet Reyes – Trahan School
 Elaine Riley – High School
 Thomas Shanley – High School
 Cindy Times – Middle School

EDUCATIONAL SUPPORT STAFF

Certified Aides

Judith Allard – Special Needs, North Street
 Kristine E. Benning – North St./Trahan
 Mary Jane Bucci – Trahan, P.D.D.
 Jennifer Caracoglia – Learning Ctr., High School
 Marjorie Jean Chan – Dewing School
 Elaine Ciccolella - Ella Flemings School
 Paula Curtin – Ella Flemings School
 Mary Ann Deshler - Special Needs - Middle
 Ann (Breslin) DiCiccio – SPED, Ryan School
 Joanne Elwell – Spec Needs, Heath Brk School
 Marcia Freeman – Special Needs, Heath Brook
 Amanda Hersh – Spec Needs-Dew. Inclusion
 Pamela Lussier – Ella Flemings School
 Eva-Marie McGilvery – Ryan School
 Anne McGregor- Special Needs, High School
 Vincent Messina – High School
 Susan Mulno – Dewing School
 Sheri Mulloy – Spec Needs, Heath Brook School
 Lois Murphy – Spec Needs – H.B. Inclusion
 John O'Brien – Special Needs – High School
 Danielle (Jamieson) Preston – Special Needs - MS
 Ted Skinner – Spec Needs, High School
 Maria Skoropowski - Spec Needs, High School
 Melanie Tirabassi – Learning Center, H. S.

Non-Certified Aides

Linda Beaulieu – Kind. Aide - North St. School
 Kathleen Casey – High School
 Janet Davis – Kind. Aide - Heath Brook School
 Donna DePierro – Life Skills – Trahan School
 Gale Durkin - A.V. Aide - High School
 Judith Fitzgerald – Kind. Aide – Trahan School
 Christine Hirsh – Special Needs – Middle School
 Jane Juskiewicz – Kind. Aide - Dewing School
 Mary Lazzara – Kind. Aide - Heath Brook
 Denise Martucci - Kind Aide – Dewing School
 Mary Morris - A.V. Aide - Middle School Schoo
 Kathleen Penney - Spec Needs Heath Brook
 Alison Shikles – Spec Needs, Dewing School

Network Manager

Keith Young – Center School

Transportation & Facilities

David Libby – Center School

School Nurses

Judith Hopkins
 Linda House
 Monica McBrine
 Sandra Miller – Assoc. Nurse
 Carol Moriarty
 Marcia Osterman
 Beverly Robinson
 Elaine Walsh

Library Aides

Lynnette Allen
 Gayle Bowers
 Christine Cote
 Ann Donnelly
 Judith Dziadosz
 Patricia Fothergill
 Barbara Keefe
 Dixie LeBlanc
 Evelyn McCabe
 Ellen-Dale Robichaud
 Mary Tozlowski
 Denise Trevor

School Secretaries

Jean Aylward
 Kathy Baker
 Jeanne Blackstone
 Rose Cochran
 Judith Colman
 Paula Coppola
 Anne Duncan
 June Fowler
 Joanne Kearns
 Louise Kelley
 Janice LaRocque
 Mary Maguire
 Eileen Mahoney
 Annmarie McCormick
 Donna McKenna
 Kelly Mercier
 Patricia Meuse
 Patricia Napoli
 Dorothy Peach
 Anita Sartori
 Barbara Sullivan, School Committee Secretary
 Deborah Sullivan
 Nancy Thompson
 Nancy Torname
 Diane Paglia - Medicaid Clerk

Food Service Workers

Maureen Bedard
Elaine Bennett
Eileen Callanan
Linda Carter
Barbara Curtin
Carolyn DeSisto
Lynn DeVoe
Robin Foran
Anna Gaudette
Gladys Goldstein
Jane Grant
Denise Guiliani
Diane Hendrigan
Nancy Houmiller
Rosemary Indelicato
Joyce Kling
Carol Lennon
Patricia London
Christine Lopolito
Dolores Montecalvo
Mary Beth Morello
Deborah Mugford
Yvette Payne
Grace Petkiewich
Patricia Reale
Kimberly Sheehan
Kathy Sholl
Deanna Simmons
Barbara Stevens
Laura Sullivan
Holly Tellier
Roberta Waldrip
Janice Woodman

Maintenance and Custodial Workers

James Sharkey, Maintenance Foreman
Gary Ballou – High School
Joseph Burke - Heath Brook School
Michael Carey - Heath Brook School
William Catherwood - Middle School
Charles Coughlin – Ryan School
Henry Dewing - High School
Benjamin Dobbin - High School
Travis Dobbin – Ryan School
Lynne Dykeman – High School
Richard Fallon – Ryan School
Thomas Gilbride – Maintenance
David Harrington - High School
Charles LeSage – Dewing School
Bruce MacDonald - High School
Jon Marchand – Maintenance
Daniel Martin – Middle School
Joseph McCann - North Street School
Robert McCarthy – Dewing School
Terrance Neal – Ryan School
Richard Newton - High School
Roy Osterberg – Ryan School
Donald Page – Heath Brook School
Ronald Page – Dewing School
Joseph Rice – Trahan School
James Shimkus – Ryan School
Richard Stronach – Dewing School
Phillip Stone – Maintenance
Shawn Sughrue – Maintenance
Barry Sullivan – Ryan School
Peter Thuillier – Trahan School
William Wilson – North School

Matron

Sandy Ryan – High School
Nancy Teas – Ryan School

Shawsheen Valley Regional Vocational / Technical High School District

The Shawsheen Valley Technical High School District is pleased to submit its 2002 Annual Report to the citizens of Bedford, Billerica, Burlington, Tewksbury, and Wilmington. Located on Cook Street in Billerica next to the towns of Burlington and Wilmington, the school celebrated its 33rd anniversary this year, perpetuating the highest quality in vocational technical education to area youth and residents.

A ten-member elected School Committee governs the District. Elected representatives of the Regional School Committee are: Mark Trifiro and Donald Drouin from Bedford; Kenneth L. Buffum, Vice Chairman, and Bernard F. Hoar, Treasurer, from Billerica; John P. Miller, Chairman and Alfred Verrier from Burlington; J. Peter Downing and Patricia W. Meuse from Tewksbury; and James M. Gillis, Secretary and Robert G. Peterson from Wilmington. Charles Lyons has been Superintendent/Director of the District since 1987.

Shawsheen Valley Technical High School (SVTHS) is one of twenty-six regional vocational technical school districts in Massachusetts. Eleven hundred and ninety-two high school students were enrolled in SVTHS's day school programs in October of 2002, and more than 600 adults participated in the school's varied adult and continuing education courses.

The high school graduating class of 2002 numbered 244 seniors. By September of 2002, forty-three percent of Shawsheen Tech graduates were employed in their area of expertise; forty-two percent of the graduates were pursuing higher education; five percent were entered into the military forces; and six percent were employed in other trade areas.

Academic Programs

MCAS Performance: In the spring of 2002, 87% of SVTHS's sophomores passed the English Language Arts (ELA) MCAS test, improving the 78% passing rate of the preceding year's tenth graders. In fact, the 87% mark, which ranked highest among all Massachusetts vocational technical high school passing rates, significantly exceeded the Department of Education's expected improvement for SVTHS. Both the number and percent of the school's students who scored within the "Advanced" range on the ELA MCAS test were also pre-eminent among all statewide vocational-technical populations. SVTHS's regular-education population passed the ELA MCAS test in record numbers, exceeding the state's regular-ed passing rate by five percent. Similarly, this school's learning-disabled (LD) population improved all previous ELA MCAS performances, exceeding the statewide LD passing rate by eleven percent. Ninety-three percent of all students in the Class of 2003 had passed the ELA MCAS by January of 2003.

By January of 2003, 76% of the Class of 2003 had passed the math portion of the MCAS test. SVTHS is very optimistic with the math performance on the December 2002 retest and is projecting that most of the students scheduled to graduate with the class of 2003 will pass the math after their fourth attempt at fielding the test.

Academic Support Services: Supported by supplementary funds secured by grants awarded by the Department of Education, academic support services were expanded in order to assist students prepare for MCAS testing. One-on-one tutoring sessions were made available before, during, and after school. Special MCAS math sessions were well attended on Saturday mornings. An MCAS writing lab was added to the Applied Math program and was offered four days a week during the summer session. Student surveys revealed extremely enthusiastic reaction to the extra help sessions. Post testing has indicated significant improvement in math and writing proficiencies of those students who took advantage of those MCAS help sessions.

Faculty Job Satisfaction: A survey conducted during professional workshops held in early January revealed unanimous job satisfaction among SVTHS teachers. The teaching staff attributed job satisfaction to collegiality, professional respect, excellent (especially technological) teaching resources, fair salary and benefits, valued administrative support, and well-behaved and enthusiastic students.

World Language Course Offered: In September of 2002, SVTHS expanded its academic offerings with the addition of an evening Spanish elective taught by Mrs. Kathleen Kelley, a certified world-language teacher and a member of the Westford Academy faculty. Instruction to SVTHS students is scheduled on Tuesdays and Thursdays from 7- 9:00 p.m. Spanish I is offered during the first semester, and Spanish II is offered during the second semester.

Twenty-five students recently completed this class during the fall of 2002 and plan to continue their language studies in Spanish II during the spring of 2003.

Performing Arts: During the 2001-2002 school year, SVTHS celebrated a rebirth in the area of performing arts. The Drama Club was reactivated under the energized leadership of Drama Club Advisor, Angela Caira. In early June, "A Broadway Review" was performed to a packed house in the Billerica Memorial High School Auditorium. The two-hour musical medley included hits from *Annie*, *42nd Street*, *West Side Story*, *Phantom of the Opera*, *Les Miserables*, *The Sound of Music*, *South Pacific* and *Grease*. SVTHS students exhibited their talents in choreography, vocal performances, stage design, and lighting.

Recycling: The Student Council -- under the direction of Ellen Mountain, Council advisor and member of the English Language Arts faculty -- initiated a school recycling program during the school year. The group maintains fourteen recycling bins in locations throughout the school. Students and their advisor sorted, collected and deposited all recycling materials during homeroom period and after school. Participation in the recycling effort expanded to include recycling printer cartridges in addition to paper products.

Athletics

The athletic program was honored with the Walter Markham Award, presented annually by the *Boston Globe* in recognition of the most successful vocational-school athletic program in the Commonwealth. This is the second time in four years SVTHS has received this prestigious award.

Over 350 students participated in interscholastic athletics, capturing Commonwealth Athletic Conference championships in boy's soccer, football cheerleading, ice hockey, basketball cheerleading, softball, and baseball. Boys' soccer, girls' soccer, girls' basketball, ice hockey, boys' basketball, baseball, and softball qualified teams for state-tournament play. The softball team won the state vocational title. The baseball, boys' soccer, and wrestling teams also qualified for the state vocational tournament.

In addition to these outstanding teams, SVTHS athletics developed pre-eminent individuals. Jennifer Elwell of Tewksbury and Scott Wiitala of Billerica were selected to the *Boston Globe* and *Boston Herald* All-Scholastic softball and wrestling teams respectively. Scott was a Division 1 State Champ in wrestling. Ashley Morgado of Wilmington became a 1000-point scorer in girls' basketball.

Building and Grounds

Energy efficient lighting was installed in all computer rooms, the gymnasium, and library, the Internet technology shop, the technical illustration shop, and the business technology shop. This new lighting was entirely funded by a grant from the Massachusetts Electric School Initiative Program.

The plumbing students installed a new Americans-with-Disabilities-Act specified interior bathroom.

Extensive repairs were made to windows and doors. All exterior single pane windows were removed and replaced with double thermo pane windows. Replacement doors and window fronts were added to the four main entrances of the school. The Kalwall around the gymnasium and pool was replaced. A new roof was installed above the pool, and the exterior façade of the building was painted.

Adult Evening School: The Adult Evening School continues to offer a wide variety of opportunities to adults interested in expanding their knowledge and skills. More than thirty courses are offered during both the fall and spring semester. The enrollment in these courses has exceeded six hundred adult learners during the past year. Course offerings include a variety of traditional vocational programs such as welding, electrical, woodworking and collision repair as well as technical programs in Adobe Photoshop, web design, computer repair and computer applications. Residents interested in taking these and other types of practical courses are encouraged to call Mr. Raymond Callahan, Adult Education Coordinator at (978) 667-2111 for information and/or a brochure.

School of Practical Nursing: The School of Practical Nursing graduated a class of thirty-one Licensed Practical Nurses during commencement exercises in June for its eighth graduating class. Since its inception in September of 1994, a total of two hundred fifty-seven students have successfully graduated from this program and have gone on to rewarding careers as licensed practical nurses. This intense ten-month program offers qualified adults a combination of evening coursework and clinical externship experiences that prepare aspiring healthcare professionals for the licensed practical nurse exam. The significance and benefit of this valuable program to the community is magnified by the extreme shortages of qualified healthcare professionals that exist both locally and nationally. Residents interested in applying to the LPN program are urged to contact Assistant Director Patricia Noonan at (978) 671-3646.

Middle School Career Awareness: Over 350 middle school students from the sixth, seventh and eighth grades of the five district towns participated in career awareness activities at SVTHS after school during the winter of 2002. Each student was provided with the opportunity to spend a total of five hours exploring each of eleven different career path options encompassing the manufacturing, transportation, services, information technology and construction industries. Mr. Mark Small administers this program. He can be reached at (978) 671-3615 for registration information. The program is free of charge and is available for district middle school students. Busing is provided by SVTHS.

Tech Prep: SVTHS is very proud of the articulation agreements that it has developed with nine local colleges. Through the nationally recognized "Tech Prep" program, these agreements provide qualified SVTHS students with the opportunity to receive college credit for coursework completed prior to high-school graduation. Students receive post-secondary credit when they matriculate into a degree program at one of these institutions. These "Tech Prep" articulation agreements serve to further develop career paths for our graduates, maximizes their interest in obtaining advanced degrees in their vocational-technical areas, and assures that they are engaged in a post-secondary educational career path that is both relevant and rewarding.

Summer School: SVTHS offered sixteen courses to one hundred and sixty-seven students from surrounding towns and school systems during the summer of 2002. Courses were offered in Numeration and Data Analysis; Geometric Functions and Relations; Algebra 1; Algebra 2; Geometry; English 9, 10, 11, and 12; U.S. History; World History (Civilization); Lab Physical Science; Lab Biology; Earth Science; Physical Education; and Health. In addition, developmental and remedial instruction was offered by certified Consulting Teachers of Reading using traditional and technologically-assisted instruction. Individuals seeking summer-school information should contact the Dr. Robert Kanellas, the Summer Coordinator, at 978-671-3631.

Computer Services

Mr. Michael Sullivan, Director of Computer Services, and his staff implemented a new web-based and staff friendly Student Information System from IMG Software called iPASS. All student-information records from the old system were migrated to the new system. Academic student scheduling, as well as ninth grade exploratory scheduling, was successfully completed for the start of the school year. The comprehensive system also includes an on-line daily attendance system, on which teachers complete daily attendance from their homeroom. The Dean's Office was provided with a new module for tracking all student discipline events. Teachers have access to students' biographical, grade, attendance, and discipline information from any computer in the school. At the conclusion of the first marking period, teachers entered all grades on-line and printed verification sheets. A new and more concise report-card layout along with a new student transcript was also developed.

Mr. Scott Ialuna was hired as the Network Administrator in the Computer Services Department. The computer staff worked on network system improvements during the summer that included better response time for logons, a new application server for the mathematics department, and a new backup system. At the end of the year, the Computer Services Department upgraded their electrical service to better support the current offerings as well as provide for anticipated growth.

In July, SVTHS received a grant from the Sun Microsystems Foundation for equipment valued at \$155,000. The Computer Services Department will apply the grant to the establishment of a new Unix lab. In addition, the Internet Technology and Computer Services staff is enrolled in an instructor-training program through CISCO Academy – which, in turn, will enable SVTHS students to participate in the Unix Certification program in 2003.

In the fall, the Computer Services staff installed three new application packages for the mathematics department and upgraded the computer labs to utilize the packages. The mathematics packages were Plato, Success Maker 5.4, and Sketchpad. The Computer Services staff also updated one mathematics classroom and two special education classrooms with new computers to support the new software.

Dean of Students

The Dean's office, through the efforts of Ms. Christine Tobin, is coordinating Project 540, a nationwide initiative involving 250 high schools designed to encourage and engage young people in active citizenship. This project is made possible by a grant from the Pew Charitable Trusts. Project 540 brings students, teachers, and administrators together to explore how high schools can become better platforms for young people to get involved in the public life of their communities.

Another project coordinated by the Dean's office and Ms. Tobin is an awareness group related to teen dating violence. This group will broaden students' understanding of dating violence, and student trainers will be able to effectively communicate to their peers important safeguards for preventing such violence. The group meets weekly before school and once a month after school to discuss issues of prevention and to raise consciousness in regard to this important topic of concern.

Guidance

Admissions: Three hundred and twenty-four hundred and sixty ninth-grade applicants enrolled in the fall of 2002. These statistics represent an ongoing trend of increased interest in the educational opportunities offered at SVTHS – which, during the past three years, has resulted in the steady growth of the school's admission waiting list.

College and Career Planning Night: In early November, SVTHS hosted a college and career planning night for juniors and seniors. In addition to SVTHS students and their parents, invitations were extended to eleventh and twelfth-grade students of the five District towns. Over 450 people attended.

This effort was supported by thirty-one local colleges, a cross section of the industrial community, and personnel representing the various branches of the Armed Forces. A representative from the Massachusetts Educational Financing Authority (MEFA) presented a comprehensive overview of the financial aid process as well as multiple resources to assist students and their parents in obtaining financial assistance.

Cooperative Education Program: In the fall of their senior year, eligible students begin employment as either apprentices or cooperative interns with local companies during their vocational/technical week. In December of 2002, eighty-seven seniors were enrolled in the Cooperative Education Partnership, gaining valuable experience with area companies. Over 250 area businesspersons serve on Shawsheen Tech's Craft Advisory Committee, monitoring and ensuring up-to-date curriculum, equipment, content and technology. The local businesspersons meet twice each year with SVTHS administrators and are among the first to hire graduates from school programs for which they actively serve as consultants.

School Council

During the 2001-2002 school year, the School Council, co-chaired by Assistant Superintendent-Director/Principal Robert Cunningham and parent Nancy Higgins, reviewed and recommended the initial school budget prior to submission to the School Committee and endorsed a new School Improvement Plan that enhanced curriculum standards, students' attitude for success, guidance services, communication, parent involvement, computer applications, professional development, and building needs.

Technical Programs

Effective July 1, 2002, John Lavoie joined Shawsheen Tech as the Director of Vocational/Technical Programs. From 1973 until 1996, Mr. Lavoie was employed at Greater Lawrence as a Carpentry Instructor in both shop and related settings. He later served as Chairperson of the Carpentry Department. He coordinated house-building projects and served on many school improvement committees. For the past six years, Mr. Lavoie has served as the Construction Cluster Chairperson at Greater Lowell Regional Vocational Technical School.

Air Conditioning & Refrigeration (ACR): ACR's shop environment has been upgraded with the addition of a newly painted mezzanine and new windows. Both have contributed to a brighter, more open and safer learning environment. New workstations have also been designed and constructed to facilitate troubleshooting activities as part of the curriculum. In addition, the twelfth-grade curriculum has been revised to include a new software program called Wright-Soft, which is used to calculate heat loss and heat gains. The ACR program continues to train its students on the latest refrigeration and heating equipment, an effort facilitated by the donations of its advisory committee members.

The ACR program trains its students on real, live work and provides support to the maintenance staff through its maintenance curriculum. As a result of this program, the following projects have been completed:

- Installation of a central air conditioning unit in two science labs.
- Installation of an air conditioning and heating unit in the automotive-related room.
- Installation of a 36" ventilation duct in the automotive shop.
- Installation of two 4-ton air conditioning units in the electronics shop.
- Installation of two air conditioning and heating units for the field house.
- Installation of PVC condensation drains for the rooftop air conditioning units.
- Design and installation of a 40' x 4' exhaust hood in the metal fabrication shop.

Auto Body: The Auto Body program is certified by the National Automotive Technician Education Foundation (NATEF), whose single mission is to improve the quality of automotive service and repair. When the new automotive computer lab is completed, Auto Body students will be able to access the NATEF curriculum on the Internet, keeping students current with the latest

automotive technology. Based on the advisory committee's recommendation, the auto body program is developing an electronics component, a curriculum modification necessitated by the many electronics in new vehicles.

Automotive: The Automotive Department is in the final phase of renovating and upgrading its related theory classroom. The necessary upgrading of the electrical wiring to accommodate its state-of-the-art computer system has been completed. In early January, the students will have access to a program called Automotive Information System using one of twenty Internet-ready computers at their desks. Automotive Information System is an unlimited curriculum and resource for safe auto repair instruction, technical information and the latest updates on specific jobs. The program also allows teachers to obtain lesson plans for job-specific repairs and repair data for every car used for demonstration or service.

The newly renovated related classroom includes many instructional aids, including engine mock-ups, parts displays, posters and even a full-size break away car -- all of which are important elements of formal related instruction supporting students' visual connections to, understanding of, and interest in theory instruction.

Certified by the National Automotive Technician Education Foundation (NATEF), the Automotive curriculum, equipment and tools meet the required standards. All instructors in the program are Automotive Service Excellence (ASE) certified expert technicians and are committed to maintaining state-of-the-art knowledge and skills. As a result of their commitment, students are prepared to meet the standards of a constantly changing industry.

Business Information Services: The supervised externship program, which was implemented last year, continues to be a success. Students are gaining important office skills and provide support and needed help to area town facilities during a time of fiscal restraints. Many of last year's seniors have continued in their positions as full-time employees at the various local businesses and town facilities.

After its design is completed by SVTHS drafting students, the business labs will be renovated to meet the industry technology standards. Changes will include infrastructure, equipment, and furniture. The completion of the project will provide students with a safer and improved learning environment.

As a result of advisory recommendations and faculty initiative, the curriculum was revised to support students' Microsoft Office certification. Marketing competencies have also been added to the tenth-grade curriculum this year to expand students' post-graduation opportunities. These competencies are developed through the operation of the school store and handling the compilation, collection and distribution of the morning food break orders for the entire school.

Carpentry: The Carpentry Department, along with all the construction trades, has entered into a partnership with the Billerica Housing Authority. SVTHS students began constructing a split-level house, which will be turned over to the Housing Authority upon completion. This outside project not only provides students with valuable live work that develops trade-specific competencies but also fosters students' commitment to community and their compassion for fellow human beings.

Cosmetology: The Cosmetology Department has initiated a community-based program in which teachers accompany tenth- and twelfth-grade students to District nursing homes, senior centers and assisted-living facilities to provide cosmetology services. This program provides students with real, live work and at the same time instills compassion for our elderly population. In addition, many of our local elderly citizens take advantage of cosmetology services at the school on a regular basis.

The cosmetology program will be revising its curriculum to include Cyberimaging, which was recommended by the advisory committee this year. This innovation will provide students with competencies to obtain employment in salons with the state-of-the-art technology in hair design.

Culinary Arts: The Culinary Arts Department has made numerous renovations in its shop environment. In part, these include the installation of a new floor in the walk-in freezer, the replacement of an old wooden storage unit with metal shelving, and the replacement of a leaking oversized faucet in one of the kitchen's two designated hand sinks. A toilet was also removed in favor of additional storage space. A four-door reach-in refrigerator and a cabinet-style food warmer -- two important pieces of equipment -- were also purchased.

The operation of the guest dining room continues to be a valuable component of the Culinary program. The dining room provides reasonably priced, public access to the Shawsheen culinary experience four days a week (Tuesday through Friday). Residents interested in enjoying lunch in the Rams Head Dining room are invited to contact Ms. Beverly Pantano at (978) 671-3668 for reservations.

Another key element in the Culinary program is the bakery, where students learn to bake creative breads and pastry and where they operating a retail bakery, also open to the public four days a week. Residents may call (978) 671-3674 to order bake goods or visit the bakery between 9:30 a.m. to 1:30 p.m. Tuesdays through Fridays when school is in session.

Diesel: Both the infrastructure and the equipment of the Diesel Department have been improved during the past year. The bay doors and trim were painted, giving the shop a new and clean appearance. A new 16,000-pound twin post lift has been installed, and an electric rechargeable fork truck was obtained.

In order to keep the curriculum apace with current technology, a DVD system for Mitchell on Demand as well as a chip for the OTC and STAR engine analyzing equipment was purchased. All textbooks in the related program were updated.

In June of 2002, the Diesel program became NATEF certified. All instructors in the program are ASE certified in all areas of instruction, and Mr. John Havens is an evaluation team leader for the organization. As a result of the program's recent NATEF certification, students have earned their ASE refrigerant recovery certification. A number of students have also received national certification from the Coordinating Committee for Automotive Repair in safety and hazardous material handling.

Drafting: On December 6, 2002, the American Drafting and Design Association awarded the drafting program a national certification for its curriculum. The Association's application committee was so impressed with the application -- which includes a complete detail of the curriculum, equipment and instructors' credentials -- that they awarded the certification without a team visit. The Drafting program at SVTHS is the first program in the Commonwealth to receive this national certification.

Funds were made available to continue shop modernization plans with the purchase of the following equipment:

- 14 Dell computers
- 33 planner lab stations
- 28 planner activity tables
- 31 swivel arm chairs
- 4 Hewlett Packard DeskJet 1220c printers

With the recent upgrading of software recommendations, the Drafting staff has made some revisions in the program's curriculum. The students are now learning Pro-E for an analyst of properties and G.I.S terrain modeling. The collective efforts of the Drafting instructors to improve their program have resulted in the Commonwealth's most technologically advanced high school drafting program and an outstanding learning environment for SVTHS students.

Electronics: The instructors in the Electronics Department have initiated student training in A+, the basics of computer repair, and they have been developing a curriculum that aligns with the recently completed Certificate of Occupational Proficiency's task list for Electronics.

Mr. Frank Harrington and Mr. William Jackson, both of whom have extensive experience in the electronics and computer industry, have been hired as instructors to affect the curriculum and technological changes in the Electronics program.

Electrical: During the recent year, Electrical students developed a wide range of competencies resulting from their work on outside projects. Students wired SVTHS's new field house and concession stand, a new automotive related classroom, and a computer lab -- gaining important industrial-wiring skills and knowledge. Students also wired a home that was constructed for the Billerica Housing Authority, gaining important residential skills and knowledge. Students also gained important electrical-maintenance skills and knowledge in various school-based projects.

The Electrical program's curriculum has been revised to include competencies developed as a result of new equipment donations by Interstate Electrical and Tocco Electrical, both of Billerica. The equipment includes a 2 ½" to 4" hydraulic bender and a 30 KVA dry type transformer three phase.

Graphics: The students in the Graphics program developed valuable competencies by completing various printing projects for the school and District towns. The students also oversaw the copy center, which services teachers and administrators by reproducing materials like student handouts, exams, and instructional worksheets.

Health: The placement of seniors in the Health Department's externship program remained impressively high as all twelfth graders secured positions within the program at either a medical facility or a nursing home during the first week of school. This externship program provides students with work experience under real conditions -- an instructional variable not possible in a high-school setting. Many current seniors have been placed on co-op as Certified Nursing Assistants, Medical Assistants, and child care

aids. Both the externship and co-op placement rates strongly suggest that the Health curriculum effectively prepares students for today's job market. The medical assistant curriculum will be complemented by visual field training in response to advisory committee recommendations and post-graduation placement opportunities.

Internet: With his recent arrival as an instructor in the Internet Department, Mr. Robert Galante brought a strong background in computer repair and networking, which has supported the addition of A+ training to the program's curriculum. Most of the certification training is facilitated by computers recently purchased as "knockdown" (disassembled) units, which allow students assembly, troubleshooting, and repair experience. Upon completion of this training, students will have the opportunity to take the A+ certification exam.

Students in the Internet program are also exposed to the Cisco curriculum, whose objectives are aligned with Certified Network Administrator Certification. This curriculum will prepare students to take a certification exam as seniors.

Instruction within the program has recently benefited by the development of on-line notebooks, in which students save and update Internet lessons.

Based on advisory recommendations, the Internet program has upgraded its curriculum with the addition of instruction in CSS, Flash, PHP, UNIX, and Visual Basic. In addition, the Department is currently developing on-line Internet curriculum.

The students have been involved in many community projects this year, including:

- Massachusetts Alliance for the Promotion of Sportsmanship (MAPS)
- National Guard Unit
- Upgrade Shawsheen Valley Technical High School website
- Construction of Career Day's Website

Machine Technology: The Machine Technology program recently satisfied the recertification requirements of The National Institute for Metalworking Skills (NIMS) and was awarded recertification this year. Continuation of this certification was contingent upon students' earning credentials in the areas in which the program is certified. A minimum of 25% of the students were required to pass a Level I exam, and 50% were required to pass Level II. As a result of meeting this criteria, NIMS has extended the certification until January 1, 2006. Due to the quality of the machine technology program and the instructor qualifications, NIMS has recruited the instructors to become part of their evaluation team for other schools throughout the state.

In order to maintain up-to-date and safe equipment, the Machine Technology program had four lathes rebuilt this year. The safety initiative will continue at this pace until all lathes are eventually rebuilt.

At the fall joint conference of the Massachusetts Association of School Committees and the Massachusetts Association of Schools Superintendents at the Worcester Centrum Center, Machine Technology students teamed with Drafting students to present a high-technology demonstration. Using Master Cam software, the Machine students manufactured a product designed by the Drafting students, who used Pro Desktop software.

The Machine Technology curriculum has been updated to include the latest Computer Numerical Control (CNC) technology and version of Mastercam software (Version 9). Three new Dell computers were purchased this year to accommodate the increased student population.

Masonry: Since the beginning of the school year, the Masonry students have worked on the construction of the new field house and concession stand. This project has allowed the students to develop advanced competencies that include the construction of quoin corners and brick projections around all windows and doors as well as the tiling of all shower stalls. When this project is complete, the Masonry students will have laid over 20,000 bricks and 6,000 blocks; they will have poured and finished 150 yards of concrete; and they will have installed 300 square feet of tile.

In response to local employment opportunities and advisory-committee recommendations, the Masonry curriculum was updated to include marble and granite competencies. In addition, twelfth-grade students completed a ten-hour OSHA safety course, enhancing their post-graduation employment opportunities.

Metal Fabrication: The Metal Fabrication program upgraded its equipment this year with the purchase of a new ironwork machine and metal finishing equipment. The metal finishing equipment has allowed the instructors to include metal finishing competencies in the program's curriculum, increasing career opportunities for students. Because the Metal Fabrication program is a NIMS certified program, the students will have the opportunity to take the NIMS certification exam this year.

Plumbing: Plumbing students are currently involved in important, concurrent tasks within the community. They are developing industrial-plumbing skills as they work on the SVTHS field-house project, and — at the same time — they are developing residential-plumbing skills as they plumb and install the heating system for the Billerica Housing Authority house project. In addition, Plumbing students hone their troubleshooting skills and provide necessary service to the school as they participate in the program's maintenance.

The instructors have constructed a new steel rack to accommodate more advanced venting and drainage projects. This new rack system will facilitate the completion of shop projects that involve various types of materials and clamping systems. In addition, the rack arrangement enhances safety within the shop and provides more visibility of students' activities.

Technical Illustration: Both the excellence of instruction and its effect on the skill development of this school's Technical Illustration students were clearly demonstrated at the National SkillsUSA-VICA competition last summer, where a team of four SVTHS students won a gold medal. The team of Alison Ciccariello of Burlington, Stephanie Lazott of Billerica, Christopher Magner of Tewksbury, and Gregory Bendel of Wilmington received the prestigious award for creating and publishing a comic book about Shawsheen Tech and participation in the school's chapter of SkillsUSA-VICA.

The Technical Illustration staff and students have recently assumed the task of designing a new school-wide signage system. Technical Illustration students are developing individual designs and cost projections for formal presentations to the selection committee in January. After the committee's selection of one concept, the students will begin the production process.

To prepare students to respond to the demands of a constantly changing industry, the school purchased two new laser HP printers, five new Macintosh computers, a large Epson scanner, and a Macintosh server.

SkillsUSA-VICA: SkillsUSA-VICA is a national organization providing vocational/technical students the opportunity to enter specific skill competitions and to participate in numerous leadership events. Last spring, SVTHS was honored for having the highest individual enrollment in the state, which totaled 325 members.

At the North District Conference last spring, 75 SVTHS students competed and won 35 medals. Of those students, 15 subsequently earned medals in state competition. Among these winners, two 4-person teams (Internet Technology and Technical Illustration) won gold medals and advanced to national competition in Kansas City. As previously noted (See "Technical Illustration"), the Technical-Illustration team won a national gold medal for creating an animated storybook.

Certificate of Occupational Proficiency (COP): The COP is the Commonwealth's assessment program for technical education. It is being designed to measure the attainment of industry-based skill standards of students enrolled in technical education. To date, the Department of Education has approved the competency list from four occupations and will be considering four more for approval. The four approved programs are:

- Automotive Technology
- Cosmetology
- Culinary Arts
- Horticulture

The four programs under consideration are:

- Carpentry
- Electronics
- Graphics communications
- Marketing

Shawsheen Tech has taken a leadership roll in the COP process with many instructors providing their expertise as committee chairpersons or committee members.

Safety: Led by the Director of Community Services, Mr. Roger Bourgeois, the school has begun a 5-year process of developing and implementing a school-wide safety and health plan. The development of this plan includes work practices, equipment, tools, environmental issues and educational curriculums in all programs. The committee overseeing the development and implementation includes administrators, teachers, students, and safety experts from industry.

Through the efforts of Mr. Bourgeois and the instructors in the construction cluster, all of the seniors in these programs have obtained a ten-hour OSHA certification card at the beginning of the school year when they learned all aspects of construction safety. This certification provides students with more job opportunities, as many construction companies require this credential as part of a hiring policy.

Conclusion and Acknowledgement

The SVTHS District School Committee, staff, and students gratefully appreciate the support they receive from the residents of the five member communities. The SVTHS family especially acknowledges the continued financial support of the local Town Managers, Finance Committees, and Town Meetings, who collectively ensure and perpetuate the highest quality in vocational technical training opportunities for area youth.

The District is grateful for the significant contributions provided by Shawsheen Tech staff and employees and acknowledges the many contributions of the SVTHS staff who retired during 2002. Those retirees are:

- Barbara Ahern, Director of Vocational/Technical Programs
- John Bowen, Dean of Students
- Annette Burns, Cafeteria
- Mel Frim, Electronics Instructor
- William Livolsi, Graphic Arts Instructor
- John McDermott, Assistant Superintendent-Director of Community Services
- Frances Pasciuto, Cafeteria
- Ann Peters, Cafeteria
- Audrey Tripousis, Cafeteria



PHOTO: Shawsheen's coaches and representative athletes show their pride and pleasure in winning the 2002 Walter Markham Memorial Award. First row, from left, kneeling: P.T. O'Connor, Tennis; Derek Vacca, Football; Kyle Sella, Golf; T.J. O'Leary, Boys Soccer. Middle Row left to right: Tom Tringale, swimming; Stefanie Strazzere, Girls Soccer; Ashley Morgado, Girls Basketball; Mike Gore, Football; Arelis Cardona, Volleyball; Chris Lucas, Cross Country; Adam Lucas, Spring Track; Jenn Elwell, Softball; Jeff Paquette, Hockey; Kevin McCauley, Baseball; Brian Gird, Wrestling. Back Row left to right: Chet Flynn Volleyball; Anthony Fiore, Swimming; Jack Viveiros, Girls Soccer; Ken Gabriel, Assistant Athletic Director; Tom Gagnon, Cross Country and Spring Track; Roger Bourgeois, Boys Basketball; Al Costabile, Football; Ron Nowakowski, Athletic Director; Charles Lyons, Superintendent-Director; Peter Back, Golf and Tennis; Bill Ritchie, Girls Basketball; Bill Gordon, Hockey; Kevin Bloom Baseball; Mark Donovan, Wrestling; Richard Barriss, Boys Soccer.

COMMUNITY DEVELOPMENT DEPARTMENT

*Community Development
Building*

*Board of Appeals
Conservation Commission*

*Board of Health
Planning Board*

Community Development

The Town of Tewksbury's Department of Community Development strives to manage and promote the highest quality of development by coordinating all land use matters in one department; providing information and creative recommendations based on sound planning practices; promoting and assisting sensible economic development; ensuring public health and safety by administering and enforcing applicable statutes, codes, bylaws and regulations; protecting the environment through conservation and wetland protection measures; and supporting other Departments in enhancing the community's quality of life.

The Department of Community Development consists of the following divisions, the Building Department, Board of Health Office, Planning and Conservation Office and Engineering. Staff support is provided to four statutory boards: the Planning Board, Board of Health, Conservation Commission and Zoning Board of Appeals. Administrative support is also provided to the Master Plan Committee and the Local Housing Partnership. This annual report covers the Planning and Conservation Office as well as Engineering. Reports on the various boards, committees and remaining divisions of the department are submitted under separate cover.

The year 2002 brought many changes to this department. Taking advantage of the early retirement program, Loretta Miggos left the department in September 2002 after many years of service to the Town. Linda DiPrimio joined the staff as administrative secretary in January 2002 bringing a wealth of experience and knowledge to the position. Allison Bradley picked up Recording Secretary responsibilities for the Conservation Commission and Local Housing Partnership. Dawn Cathcart began in 2002 as Recording Secretary for the Planning Board and Board of Health and Cheryl Romano continues to serve as Recording Secretary for the Zoning Board of Appeals. Lisa DeMeo joined the staff in October 2002 as the new Town Engineer as all engineering functions were shifted to Community Development from the Department of Public Works. Walter Polchlopek continued providing his services as Conservation Administrator.

Master Plan Project

The Town of Tewksbury's Master Plan Project is housed at the Department of Community Development. The Department assisted the six-member committee in developing a scope of services that was approved by the Commonwealth receiving \$30,000 in State funding for the project. The Committee also secured an additional \$25,000 at the Spring 2002 Town Meeting. Community Opportunities Group was hired as the Master Plan Consultants and has been extensively researching and analyzing data. As of December 31st, the consultants and Committee have reviewed and analyzed the Executive Office of Environmental Affairs Build-Out Study for the Town of Tewksbury, conducted two visioning sessions with the public and reviewed a Land Use Working Paper. The Committee will continue to meet approximately twice a month with an end date sometime in August 2003. It is anticipated that the Master Plan will be ready to present to Town Meeting in the Fall of 2003.

Affordable Housing

The Director assisted the Land Use Committee's proposal to create a Local Housing Partnership. This newly created entity is looking to proactively address affordable housing in the Town of Tewksbury. Since the Board of Selectmen appointments, the Partnership has established rules and regulations, guidelines for reviewing affordable housing projects and assisted in the writing of Rules and Regulations for Comprehensive Permits for the Zoning Board of Appeals. The Local Housing Partnership has reviewed three proposals for MGL Chapter 40B projects. In September, the Partnership sponsored a Housing Needs Forum. Guest speakers at Partnership meetings have included a representative from Mass. Housing Partnership as well as Attorney Mark Bobrowski. Attorney Bobrowski's training session was available to all Town boards that are affected by Comprehensive Permits and was well attended by the Housing Partnership and Zoning Board of Appeals. The Partnership supported the Planning Board's inclusionary

zoning article at the Fall 2002 Special Town Meeting. The Local Housing Partnership will work in 2003 to develop an affordable housing plan in concert with the Master Plan.

The Department of Community Development submitted to the State and received Housing Certification under Executive Order 418 in November 2002. Out of 14 required steps, the Town of Tewksbury qualified with 21 proactive steps in affordable housing. This certification acknowledges the advances the Town has made in providing affordable housing to a broad range of incomes and opens up a number of grant opportunities.

Other Initiatives

The Department assisted the Planning Board in finishing the three-year project of recodifying the Town's Zoning Bylaw. The public workshop process that was put in place in late 2001 was completed in time for the bylaw to be submitted for the Spring 2002 Special Town Meeting. The Department of Community Development also provided assistance to the Board of Health, the State Department of Public Health, and the Department of Environment Protection on the proposed Tewksbury State Hospital Groundwater Protection Bylaw, which passed Town Meeting in the Spring of 2002. The Department continued to work with the Planning Board's Zoning Bylaw Subcommittee throughout 2002 for additional zoning recommendations.

The Town's geographic information system is still in progress with work being completed for the Town by the Northern Middlesex Council of Governments as well as through other sources. It is anticipated that delivery of a complete system will occur in Spring 2003.

The Department of Community Development has had an extremely successful year and looks forward to working cooperatively with the various boards, committees, commissions, departments and citizens in 2003, enhancing the quality of life in the Town of Tewksbury.

Respectfully submitted:

Steven J. Sadwick, AICP

Director of Community Development

Board of Appeals

Following is a breakdown of the activity on which the Board of Appeals acted during the year 2002:

| | | | | | | | |
|----|---|----|----------|---|--------|---|-----------|
| 34 | Variances - | 27 | Approved | 5 | Denied | 2 | Withdrawn |
| 12 | Special Permits - | 7 | Approved | 2 | Denied | 3 | Withdrawn |
| 2 | Party Aggrieved - | 1 | Approved | 1 | Denied | | |
| 3 | Combination Variance/Special Permit - Approved | | | | | | |
| 1 | Combination Special Permit/Party Aggrieved - Approved | | | | | | |
| 1 | Modification to Special Permit - Approved | | | | | | |
| 1 | Comprehensive Permits - Denied | | | | | | |
| 1 | Finding under MA General Law | | | | | | |

I would like to thank the public for their interest in the Board's activity. I also wish to thank my fellow Board members and the Community Development Department for their time and efforts on behalf of the Board.

Derek Sheehan

Chairman, Board of Appeals

Board of Health

Mission Statement: To protect the public and environmental health through health promotion initiatives, advising residents and businesses in compliance matters, and through fair and appropriate enforcement of local, state, and federal public health rules, regulations, bylaws and laws.

The Board of Health hereby submits the following activity report for the year 2002:

Strategic Planning

- Two Household Hazardous Waste Collection Days are held annually in conjunction with the recycling Committee's Environmental Days. Both days this year set records for attendance and waste deposited.
- Board of Health Regulations are continuously reviewed and updated as required.
- Emergency Management Planning continues to be a priority as the federal government funds bioterrorism response planning.

Community Health Services

- Public Health Nurse Virginia Desmond continues to establish herself with the public and the seniors specifically. Her work includes investigating communicable diseases, distributing vaccine to doctors and the public, and offering limited care and referral services to the public.
- The Billerica – Tewksbury Tobacco Control Project continued its fine work in the community, assisting the Board in enforcement of its regulations and providing educational and referral services to the general public. My Annual Report of 2001 proved prophetic as at the end of November, 2002, this worthwhile program was closed due to state budget cuts; there are no plans to reopen the office or continue the level of service that was provided.

Environmental Activities

- All septic system work and inspection forms are reviewed by and filed with the Board's staff. Records dating to 1974 are generally available for review.
- The town continues to work with state and federal environmental agencies in dealing with the Rocco Landfill. The site was listed on the National Priorities List in the spring of 2001, making it eligible for federal funding and oversight. The work is ongoing, and far from over.
- The Board assisted the department of Public Works in conducting an environmental compliance review of operations; recommendations for upgrades have been made, and have either been implemented or are being planned.

Animal Control Activities

- West Nile Virus again affected the community, but again, No human cases of the virus were identified from Tewksbury. The Central Massachusetts Mosquito Control Project assisted the town in treating catch basins, spraying in areas where mosquitoes were the worst.
- Beaver dams continue to bother several areas within the town. Numerous beaver dams were reviewed this year, with only a few meeting the emergency criteria allowing the Board to issue emergency breach and trapping permits.
- Rabies continues to be a concern as we respond to animal bite reports. Exposures include both human and animal victims. We again remind animal owners that state law requires rabies vaccination for all dogs and cats; it could save their lives.

Miscellaneous

- Over 600 permits in 18 categories were issued and administered.
- 215 complaints were investigated.
- Over 1054 inspections and reviews were conducted.
- Prosecution of criminal matters in court required an estimated 8 hours of staff time.

The year 2002 was a trying year as we spent nearly 8 months without the assistance of the Sanitarian, who was out on an injury. We were able to respond to public health threats because of careful planning and the routine cooperation exercised among departments, but especially with the help of the Building Department and the Department of Public Works.

Most of all, we suffered a devastating loss with the passing of Board Member Susan Sullivan. Mrs. Sullivan spent many years in service to the community, and was an asset to this office. Her courage and work ethic have been an inspiration to all that encountered her.

In personnel changes, we thank Recording Secretary Christine Shea for her many years of service to the Board; Mrs. Shea has decided to spend more time with her children. Also, with the closing of the Billerica – Tewksbury Tobacco Control Program, we said goodbye to Program Director Melissa Stockwell and Inspector Timothy Considine.

I thank Board of Health members Stephanie Wilkie and Edward Sheehan for the guidance and support. I also thank Operations Assistant Barbara Westaway, Sanitarian Dean Trearchis, Public Health Nurse Virginia Desmond, Animal Inspector Pamela Gorrasi, and Recording Secretary Dawn Cathcart for their dedication and service to the community.

Respectfully submitted,
Thomas G. Carbone, R.S., C.H.O.
Director of Public Health

**TEWKSBURY BOARD OF HEALTH
2002 ACTIVITY REPORT**

INSPECTIONS CONDUCTED

| | |
|---------------------------|-----|
| Septic System Inspections | 331 |
| Plan Reviews | 272 |
| Housing Inspections | 38 |
| Condemnations | 1 |
| Swimming Pool Inspections | 20 |
| Hotel Inspections | 8 |
| Food Service Inspections | 145 |
| Tanning Booth Inspections | 5 |
| Pump Truck Inspections | 6 |
| Test Holes | 220 |
| Massage Establishments | 8 |
| Complaints | 215 |

PERMITS ISSUED

| | |
|-----------------------------|-----|
| Septic Systems - New | 13 |
| - Upgrade | 100 |
| - Repair | 4 |
| - Abandon | 13 |
| Septic Installer | 59 |
| Septic/Offal/Rubbish Hauler | 57 |
| Hotels/Trailer Parks | 9 |
| Pools | 14 |
| Food Service | 149 |
| Frozen Desserts | 13 |
| Animal | 28 |
| Masseuse | 17 |
| Funeral Director | 3 |
| Tanning Booths | 7 |

Communicable Diseases Reported

| | |
|-------------------------|----|
| Animal Bites | 20 |
| Campylobacter | 10 |
| Chicken Pox | 4 |
| Encephalitis | 1 |
| Giardia | 2 |
| Hepatitis B | 7 |
| Hepatitis C | 27 |
| Lyme Disease | 2 |
| Meningitis | 1 |
| Salmonella | 8 |
| Streptococcus A | 2 |
| Streptococcal Pneumonia | 1 |
| Tuberculosis | 4 |

Building

During 2002 the Building Department again as in 2001 experienced a slowdown in building activity. The department also had some personnel changes with the acceptance of the early retirement bill. I would like to extend my thanks and gratitude to Sandy Stevens and Katie Mazzuchi for an outstanding job as Senior Clerk Secretaries for the past 14 years of service to the department. Lou Carciofi also retired after 3 years with the department as Local Inspector in addition to his other many years of service to the town. Dawn Cathcart was hired to the new position of Administrative Assistant/Permit Technician in the department to replace Sandy and Katie. Dawn has done an outstanding job of getting up to speed in the new position and has proven to be a valuable asset. The Building, Engineering and Health area is planning to undergo a major reconstruction to incorporate Building, Planning, Engineering, Zoning, Conservation & Health within the same physical area. This will facilitate "one stop" permitting for the residents and helps the staff communicate more effectively.

As I said above, the Building Department experienced a slowdown in the value of work permitted along with the fees collected as shown in the following chart:

| | <u># of Permits</u> | <u>Value of work</u> | <u>Fees</u> |
|----------|---------------------|----------------------|------------------|
| 2001 | 866 | \$ 44,818,378 | \$ 239,939 |
| 2002 | 960 | <u>\$30,318,752</u> | <u>\$194,981</u> |
| % change | 10% | -32% | -19% |

Present activity includes these major housing/apartment subdivisions:

| | Rogers Common (Rogers St) | Misc. single family dwellings |
|--------------------|------------------------------|----------------------------------|
| Total # of units: | 11 | 14 |
| Permitted to date: | 5 | 12 |
| Occupied to date: | 2 | 0 |

Commercial projects included: Foster School Apartments, completed, Fall 2002
Oakdale Plaza Renovations, sched. Complete 2003
New Beer Distribution Warehouse, sched complete 2003
Tewksbury Country Club Building, sched. Complete 2003
Various Tenant Fit-ups for Restaurants, Office and retail space.

Municipal projects included: Wynn School Renovation.

Additionally, the department issued 767 wiring permits, 959 plumbing/gas permits, 208 sewer entry permits. Certificates of Inspection were issued to 82 establishments such as restaurants, function rooms, churches and schools. Building Inspectors performed approximately 1500 inspections.

ON THE HORIZON: (proposed projects to start during 2003.)

200 + unit Community Development Project.
New Tewksbury Municipal Employees Credit Union
Andover Rd. – Robertson Estates – 26 Single Family Homes.

In the Weights and Measures Division, 285 gasoline dispensers, 74 scales and 3 oil trucks were tested and sealed. Five (5) investigations of wrongdoing were investigated and 11 oil delivery trucks were checked for seals. Fees collected were \$ 4670.00

Following is a breakdown of permits issued during 2002.

Respectfully submitted,
Richard A. Colantuoni
Building Commissioner

2002 BUILDING DEPARTMENT ACTIVITY REPORT

| | <u># of PERMITS</u> | <u>VALUE</u> | <u>FEES</u> |
|---------------------|---------------------|---------------|-------------|
| Com ADDITION | 4 | \$375,000 | \$2,618 |
| Com DEMO | 4 | \$144,900 | \$635 |
| Com FOUNDATION | 3 | 4,089,380 | \$28,725 |
| Com MISC | 3 | \$186,000 | \$1,388 |
| Com NEW BLDG | 4 | \$5,088,065 | \$7,018 |
| Com RENOVATION | 14 | \$545,563 | \$3,849 |
| Com ROOF | 4 | \$95,100 | \$669 |
| Com TEN FIT-UP | 23 | \$2,195,250 | \$14,504 |
| Mun MISC | 1 | \$0 | \$0 |
| Res ADDITION | 146 | \$5,931,706 | \$41,242 |
| Res CHIM/FP | 1 | \$1,800 | \$75 |
| Res COMP | 2 | \$171,672 | \$1,288 |
| Res COMP/AU | 3 | \$251,344 | \$0 |
| Res COMP/MFD | 20 | \$1,200,000 | \$8,400 |
| Res DECK | 69 | \$379,290 | \$3,812 |
| Res DEMO | 20 | \$723,400 | \$1,554 |
| Res FAMILY SUITE | 7 | \$479,530 | \$3,360 |
| Res FOUNDATION | 58 | \$85,600 | \$1,945 |
| Res MISC | 3 | \$0 | \$300 |
| Res NEW SFD | 33 | \$5,203,440 | \$34,478 |
| Res POOL | 72 | \$671,907 | \$4,815 |
| Res RENOVATION | 123 | \$1,144,108 | \$8,262 |
| Res ROOFING | 88 | \$432,259 | \$3,369 |
| Res SHED | 52 | \$127,572 | \$1,222 |
| Res SIDING | 76 | \$715,430 | \$5,003 |
| Res WOOD STOVE | 7 | \$12,306 | \$350 |
| TEMP TRAILER | 4 | \$5,000 | \$150 |
| TOTALS: | 960 | \$30,255,622 | \$179,031 |
| Com CERT of INSP | 82 | \$0 | \$7,543 |
| Res RECORDING | 8 | \$0 | \$3,200 |
| SIGNS | 26 | \$63,130 | \$5,207 |
| TOTALS: | 116 | \$63,130 | \$15,950 |
| WIRING PERMITS | 767 | | 30,847 |
| PLUMBING PERMITS | 511 | | 18,267 |
| GAS PERMITS | 399 | | 4,753 |
| UNDERGROUNDS/REINSP | 49 | | 980 |
| SEWER ENTRY PERMITS | 208 | | 8,320 |
| WEIGHTS & MEASURES | NA | | 4,670 |
| TOTALS: | 1244 | | \$67,837 |
| GRAND TOTALS: | 2,320 | \$ 30,318,752 | \$ 262,818 |

Conservation Commission

The Conservation Commission consists of seven members, all of whom are appointed by the Board of Selectmen. The Conservation Commission Officers for 2002 are Chairman, Stanley Folta, Jr.; Vice Chairman, Salvatore Tornatore; Clerk, Michael Kelley; Gregory Peters, Robert Ernest, Stephen DeFrancesco and Steven Deackoff. The Conservation Commission is designated with the responsibility of upholding the Tewksbury Wetland Protection Bylaw and the Massachusetts Wetland Protection Bylaw and the Massachusetts Wetland Protection Act (M.G.L. Chapter 131, Section 40). The Commission's primary goal is to protect wetland areas, adjoining land areas, riverfront areas, related water resources as well as administering permits and managing land for Open Space in the Town of Tewksbury.

During 2002 the Conservation Commission reviewed numerous Notice of Intent and Request for Determination of Applicability applications for work in the 100 foot wetland buffer zone and in some cases within the 200 foot riverfront area.

All applications submitted for action by the Conservation Commission requires a public hearing to be held at which time all abutters are given an opportunity to express their views. When all the information for an application is solicited, the Conservation Commission votes to either approve or deny the requested permit. If approved by the Commission, the wetland permit will list all mitigation required to protect the impact on wetland areas. If the permit is denied, the applicant can appeal the decision to the Massachusetts Department of Environmental Protection and to Superior Court.

In 2002, the Conservation Commission issued permits for various projects. Each of these projects had several hearings with concerns from residents which resulted in the Conservation Commission spending much time in detailing the Order of Conditions for approval.

The Conservation Commission has worked diligently in 2002 to protect the natural resources in Tewksbury. During 2002, several parcels of land were deeded to the Town of Tewksbury under the management of the Conservation Commission for use as Open Space.

All residents are advised that certain activities which are proposed in areas within 100 feet to 200 feet of a wetland, river, stream, pond or lake must comply with the local and state regulations as well as federal regulations in some activities.

It should be noted that the Tewksbury Wetland Bylaw has been amended to increase the no disturb area adjacent to a wetland from 10 feet to 25 feet and that any proposed structure shall be 50 feet from the wetland.

The Conservation Commission meets on the first and third Wednesday of each month. All Conservation Commission meetings are open to the public and are held in the Town Hall Auditorium beginning at 7:00 P.M. and are televised live on the local cable channel.

The Conservation Office which is part of the Department of Community Development is located in the Sughrue DPW Building located at 999 Whipple Road and is open to the public from 8:00 A.M. to 4:00 P.M. Monday through Friday.

Respectfully submitted
Walter S. Polchlopek
Conservation Administrator

Planning Board

The Tewksbury Planning Board consists of five-elected town residents. The Planning Board Officers are Robert Fowler, Chairman, Vincent Spada, Vice Chairman, and Nancy Reed, Clerk. Other members of the Board include David Plunkett and Frank Sweet. Cheryl Busch ended well over a decade of service to the community by not seeking reelection. The rest of the Board welcomes the addition of Nancy Reed to the Planning Board.

The Planning Board reviews all new commercial projects and residential subdivisions proposed for construction in Town. The Planning Board, working with Building Commissioner and the Community Development Director, is responsible that new developments comply with land use regulations. The Planning Board strives to strike a balance between landowners right to develop and the interests of neighbors and the Town as a whole.

The Planning Board issued fourteen special permits for ten various commercial projects. The following three commercial subdivisions were approved; 495 Network Center Drive, Riverview Park and DSM Drive.

While only three residential subdivisions were approved for a total of approximately 8 new building lots, the Board did review two preliminary cluster subdivisions and anticipates that definitive subdivisions will be filed in 2003 totaling over ninety new lots.

In addition to fulfilling statutory duties as a special permit grant authority and subdivision control authority, the Planning Board supported two significant planning initiatives on behalf of the Town. The first initiative was the three-year recodification project of the Zoning Bylaw. Working with the Department of Community Development, the Planning Board held four public workshops in 2002 for the recodification culminating in passage of the bylaw at the Spring 2002 Special Town Meeting. The Planning Board established a Zoning Bylaw Subcommittee that has continued to meet throughout 2002 to make adjustments to the Zoning Bylaw. The Subcommittee brought forward an inclusionary zoning article at the Fall 2002 Special Town Meeting, which was approved by Town Meeting and the Attorney General's Office. The Subcommittee is comprised of members Vincent Spada, David Plunkett, and Nancy Reed.

The Planning Board has been active in the Master Plan process with member Frank Sweet serving as Chair of the Master Plan Committee and Nancy Reed serving as a member of the Committee. It is anticipated that this project will be completed in August 2003.

Respectfully submitted,
Robert Fowler, Chairman
Planning Board

FINANCE DEPARTMENT

*Narrative
Treasurer's Cash*

*Auditor's Report
Tax Collector*

*Board of Assessors
Computer Services*

Narrative

In January, 2002 the offices of the Assessor, Auditor, Computer Services and Treasurer/Collector were combined to form a new Finance Department. This was accomplished thru planned retirements of long-term employees and promotions of current employees and resulted in a net savings for the Town. The Finance Department was formed so that the members of the above departments could work more as a team under the supervision of a Finance Director to provide the best service to the residents and customers of the Town.

The position of Finance Director was created and was filled by the current Town Auditor Donna M. Walsh, who has been with the Town since 1998. A new position of Accountant was created in the Auditor's Office. This was filled by Donna J. Gill who was previously the Operations Assistant in that department and has been with the Town since 1986.

With the retirement of the Treasurer/Collector, Warren Carey, and the Assistant Treasurer/Collector, David Sullivan, the positions in the Treasurer/Collector's Office were restructured to have a separate Treasurer and Collector. The Assistant Treasurer/Collector position was eliminated. The Treasurer position was filled by Janet Smith who has held various positions with the Town since 1989, most recently as the Payroll and Accounts Payable Specialist in the Treasurer/Collector's Office. The Collector position was filled by Dorothy Lightfoot who has worked for the Town since 1987, most recently as the Collections Specialist in the Treasurer/Collector's Office. In addition various other promotions were made within that office as positions became vacant due to the movement of staff.

Jay Kelley was hired in January, 2002 to replace the former Chief Assessor, Norman Boudreau who retired in that month. Jay has held many positions with the Town and was most recently a part-time Assessor.

Many changes have been made over the past twelve months including the addition of an Assessor link on the Town's website (www.tewksbury.info) that allows users to access assessed values and other pertinent information, the ability for residents to make real estate and motor vehicle excise payments via the internet (which can also be accessed thru the Town's website) and the addition of a payment drop-off box adjacent to the Town Hall Annex parking lot.

We would like to acknowledge the following employees who retired during FY2002 and FY2003, wish them well and thank them for their many years of service:

Norman Boudreau – Chief Assessor – 26 years
Warren Carey – Treasurer/Collector - 15 years
Linda Curtis – Auditor's Office – 24 years
Elizabeth Johnson – Treasurer/Collector's Office – 25 years
Ann MacGilvray – Assessor's Office – 15 years
David Sullivan – Assistant Treasurer/Collector – 40 years
Cynthia Trudeau – Assessor's Office – 30 years

The following pages provide detailed information on the financial and other activity of the Town during FY2002 for each of the individual departments under the Finance Department.

Auditor's Report

The Auditor's Office is responsible for review of all vendor payments and payroll, accounting for all revenues and expenditures, and maintaining the official financial records of the Town.

The Auditor's Office also coordinates the annual independent audit of the Town's financial statements which was last completed by Powers and Sullivan, Certified Public Accountants, on September 6, 2002 for the year ended June 30, 2002.

The financial results for fiscal year 2002 were good compared to budget but, due to declining revenue collections (as a result of the poor economy and low interest rates), the Town had to use reserves for the first time in many years. The Town continued conservative spending of appropriations.

Donna M. Walsh
Town Auditor/Finance Director

REVENUE

Taxes/Interest/Penalties:

| | | |
|---------------------------|---------------|---------------|
| Personal Property | 1,772,944.10 | |
| Real Estate | 35,887,638.32 | |
| Tax Liens Redeemed | 286,406.40 | |
| Foreclosure Vacated | 62,000.00 | |
| Tax Possession Sold | 232.41 | |
| Gain on Sale of Town Land | 89,603.84 | |
| Motor Vehicle Excise | 3,555,822.53 | |
| Penalties/Interest/Legal: | | |
| Tax Titles | 32,647.55 | |
| Real/Pers/MVX/H20 | 128,997.34 | |
| Payments in lieu of Taxes | 36,522.50 | |
| Proforma Taxes | 39,130.53 | 41,891,945.52 |

Charges/Fees:

| | | |
|-----------------------------|--------------|--------------|
| Sewer Connections | 110,722.58 | |
| Misc. Water/Sewer Service | 5,369.27 | |
| Water Rates | 3,082,853.29 | |
| Sewer Rates | 1,276,213.66 | |
| Water/Sewer Liens Interest | 404,294.42 | |
| Ambulance Charges | 413,813.54 | |
| Municipal Lien Certificates | 71,276.90 | |
| Collector Demands | 46,479.08 | |
| RMV Releases | 14,620.00 | |
| Sundry Rentals | 1,560.00 | |
| Tower Rentals | 363,458.61 | |
| Police Cadet Training | 3,325.00 | |
| Miscellaneous | 28,597.79 | 5,822,584.14 |

From the Commonwealth:

| | | |
|----------------------------------|---------------|--|
| Abatements: | | |
| Surviving Spouses/Veterans/Blind | 31,263.00 | |
| Elderly | 46,304.00 | |
| Schools: | | |
| Chap. 70 Aid | 11,476,069.00 | |
| Transportation | 320,643.00 | |
| Charter Schools | 27,363.00 | |
| Building Assistance | 911,261.00 | |
| Chap. 76 Ward's Tuition | 54,648.00 | |
| Police Incentive | 204,456.96 | |
| Veterans Benefits | 39,810.83 | |
| Lottery | 2,989,060.00 | |
| Additional Lottery Aid | 0.00 | |
| Highway Maintenance | 58,801.00 | |

| | | |
|-----------------------------------|------------|----------------------|
| State-Owned Land | 136,929.00 | |
| Medicaid Reimbursement | 232,711.00 | 16,529,319.79 |
| Other Revenue Sources: | | |
| Hotel Tax | 444,249.00 | |
| Investment Earnings | 500,386.04 | |
| NESWC Refunds | - | |
| Bond Premiums | 67,286.48 | |
| Sale of Fixed Assets | 2,688.56 | |
| School Tuition | 4,800.00 | |
| Transfers from Special Funds | 57,553.67 | 1,076,963.75 |
| Departmental Fees: | | |
| Manager/Selectmen | 2,307.01 | |
| Cable Franchise | 4,849.00 | |
| Assessors | 5,231.52 | |
| Treasurer/Collector | 3,655.50 | |
| Clerk | 34,099.22 | |
| Planning | 24,363.25 | |
| Appeals | 8,519.70 | |
| Police | 6,185.40 | |
| Special Detail Adm.- Police | 33,044.32 | |
| " " " - Fire | 635.95 | |
| Fire Inspections | 510.00 | |
| Building | 11,596.20 | |
| Wiring | 34,981.50 | |
| Plumbing | 30,773.00 | |
| Weights/Measures | 4,539.00 | |
| Dog Officer | 930.00 | |
| Schools | 110.78 | |
| Public Works | 12,374.73 | |
| Water Connections | 65,500.00 | |
| Sewer Connections | 55,200.00 | |
| Sewer Applications | 7,550.00 | |
| Title V | 145.00 | |
| Health Miscellaneous | 2,650.70 | |
| Recreation | 58,482.75 | 408,234.53 |
| Licenses/Permits: | | |
| Alcoholic Beverages | 58,850.00 | |
| Selectmen | 5,580.00 | |
| Police | 3,000.00 | |
| Fire | 8,285.00 | |
| Building | 152,363.00 | |
| Public Works | 1,715.00 | |
| Health | 43,050.00 | 272,843.00 |
| Fines: | | |
| State/Local Courts | 89,293.00 | |
| Library | 5,625.24 | |
| Parking | 30,486.44 | |
| Weights & Measures | 0.00 | |
| Zoning | 0.00 | 125,404.68 |
| Total General Fund Revenue | | 66,127,295.41 |

GENERAL FUND BALANCE SHEET
June 30, 2002

ASSETS

| | | |
|------------------------------|--------------|----------------------|
| General Cash | | 8,332,897.61 |
| Collector | 300.00 | |
| Appeals | 200.00 | |
| Schools | 50.00 | |
| Recreation | 300.00 | 850.00 |
| Uncollected Taxes: | | |
| Personal Property: | | |
| FY98 | 11,645.13 | |
| FY99 | 12,520.81 | |
| FY00 | 22,741.47 | |
| FY01 | 26,084.80 | |
| FY02 | 83,788.72 | 156,780.93 |
| Real Estate: | | |
| FY99 | (8,106.52) | |
| FY00 | (1,203.05) | |
| FY01 | (21,277.07) | |
| FY02 | 326,669.02 | 296,082.38 |
| Motor Vehicle Excise: | | |
| Prior FY | 0.00 | |
| FY98 | 0.00 | |
| FY99 | 30.00 | |
| FY00 | 28,818.23 | |
| FY01 | 43,627.92 | |
| FY02 | 202,815.30 | 275,291.45 |
| Allowance for Abatements: | | |
| FY98 | (13,657.34) | |
| FY99 | 0.00 | |
| FY00 | (520,716.50) | |
| FY01 | (445,215.28) | |
| FY02 | (276,592.67) | (1,256,181.79) |
| Other Receivables: | | |
| Tax Liens/Titles/Possessions | 1,622,423.07 | |
| Taxes in Litigation | 0.00 | |
| Sewer Connections | 46,959.82 | |
| Water/Sewer Rates/Liens | 609,220.68 | |
| Misc. Water Services | 3,209.96 | |
| Ambulance Services | 99,856.91 | |
| Veterans Services | 78,892.55 | |
| Due From State | 76,929.00 | |
| Due From Employees | 3,867.37 | |
| Due From Vendor | 43,723.85 | 2,585,083.21 |
| TOTAL ASSETS | | 10,390,803.79 |

LIABILITIES/RESERVES

| | | |
|--|--------------|----------------------|
| Warrants Payable | | 1,522,945.62 |
| Accrued Payrolls | | 410,790.13 |
| Payroll Withholdings Payable: | | |
| Savings Bonds | 82.50 | |
| Retirement | 95,114.21 | 95,196.71 |
| Unclaimed Property: | | |
| Abandoned | 27,270.85 | |
| Tax Refunds | 26,211.87 | 53,482.72 |
| Taxes Paid in Advance | | 33,331.35 |
| Unavailable Land Sale Excess | | 0.00 |
| Deferred Revenue: | | |
| Taxes in Litigation | 0.00 | |
| Real/Personal Taxes | (803,318.48) | |
| Tax Titles/Possessions | 1,622,423.07 | |
| Motor Vehicle Excise | 275,291.45 | |
| Sewer Connections | 46,959.82 | |
| Overpaid Water/Sewer | 0.00 | |
| Water/Sewer Rates/Liens | 609,220.68 | |
| Misc Water Service | 3,209.96 | |
| Ambulance Service | 99,856.91 | |
| Veterans Benefits | 78,892.55 | |
| TOTAL LIABILITIES | | 1,932,535.96 |
| Fund Balances: | | |
| Encumbrance Reserve | 1,548,159.66 | |
| Reserved for Expenditures | 2,236,349.00 | |
| Teachers Pay Deferral | (300,002.00) | |
| Petty Cash Reserve | 850.00 | |
| Unreserved Surplus | 3,077,803.31 | |
| Reserved for Court Judgement | 0.00 | |
| Overlay Deficit | 0.00 | |
| Snow/Ice Deficit | (113,556.67) | |
| Over/Under Assessments | (18,579.00) | |
| School Choice Assessment | (59,065.00) | |
| Charter School Assessment | (29,438.00) | |
| TOTAL FUND BALANCES | | 6,342,521.30 |
| Total Liabilities/Fund Balances | | 10,390,803.79 |

SPECIAL FUNDS BALANCE SHEETS

Town Revolving/Grant Accounts

| | | |
|----------------------------------|--------------|--------------|
| Cash | 4,199,742.82 | |
| Insurance <20K Police | | 1,666.70 |
| Insurance <20K Fire | | 2,754.27 |
| Insurance <20K-DPW | | 532.05 |
| Arts Lottery | | 17,964.03 |
| Planning Engineering | | 12,626.71 |
| Planning Sidewalks | | 72,993.92 |
| Recreation Programs | | 49,723.51 |
| Planning Consult-Existing | | 6,800.91 |
| Conservation Comm Consultants | | 520.00 |
| Planning Consult-New Projects | | 5,800.00 |
| State Election/Primary | | 2,593.47 |
| State Records | | 0.00 |
| Community Policing | | 12,778.09 |
| Drug Control | | 34,484.47 |
| GAAD | | (2,651.67) |
| COA Grant | | 8,236.42 |
| Library LSTA | | 0.00 |
| DARE Grant | | 1,482.04 |
| SAFE Grant | | 0.00 |
| OPE Grant | | 0.00 |
| Walmart Economic Development | | 5,000.00 |
| Selective OT Enforcement | | (1,435.11) |
| Fire Safety Equipment | | 0.00 |
| Municipal Recycling Incentive | | 4,360.00 |
| FEMA Snow Recovery | | 0.00 |
| FEMA Flood Recovery | | 0.00 |
| Road Improvement/Neswc | | 221,651.40 |
| Bulletproof Vests | | 5,485.00 |
| Rte 133 Improvements | | 27,366.68 |
| Main St Design | | 29,000.00 |
| Marriott Gift | | 0.00 |
| Cable TV Gift | | 13,502.27 |
| Police Station Gift | | 2,291.00 |
| DARE Gift | | 5,581.10 |
| ROBO Cop Gift | | 0.00 |
| Fire Gifts | | 2,202.96 |
| Thermal Camera Gift | | 350.50 |
| Dog Pound Gift | | 500.00 |
| Vicor Sewer | | 5,226.53 |
| Sidewalk Gift | | 200.00 |
| Patriotic Activities Gift | | 5,952.59 |
| Homecoming Gifts | | 2,059.74 |
| Library Gifts | | 129,787.55 |
| Jones Library Gift | | 4,153.07 |
| Defibrillator Gift | | 194.00 |
| CPR Program Gift | | 290.85 |
| Hydrant Gift | | 44.50 |
| Recycling Committee | | 201.24 |
| Playground Improvements | | 103.44 |
| PAL School Custodians | | 385.18 |
| Shawsheen & East St Improvements | | 20,000.00 |
| Police Gifts | | 500.00 |
| Police Insurance > 20K | | 0.00 |
| Foster School Sale | | 25,082.43 |
| Proceeds frm Real Estate Sale | | 2,806,824.19 |
| Drug Forfeitures | | 8,918.63 |

| | |
|------------------------------|------------|
| COA Stipends | 556.99 |
| Court Street Land | 137,658.64 |
| Conservation Engineering | 2,540.18 |
| Wetlands Protection Fund | 38,660.87 |
| Police Special Detail | 35,709.15 |
| DPW Special Detail | 694.85 |
| Water Connection Materials | 12,842.46 |
| Sewer Engineering Review | 2,468.54 |
| School Gas Reimbursement | 10,177.93 |
| Mens Softball Electric | 0.00 |
| Sandy Acres Escrow | 1,187.68 |
| St. Claire Sewer Escrow | 225,000.00 |
| Library Electric Rebate | 5,875.44 |
| Recreation School Custodians | 466.51 |
| Youth Football Phone | 167.00 |
| Dog Fund | 4,042.50 |
| Sporting Fees | 341.00 |
| Fire Hazmat | 1,566.40 |
| Recycling/Composting Bins | 677.70 |
| ZBA Consulting Services | 0.00 |
| Woburn Street Improvements | 25,000.00 |
| Orchard Street Sidewalks | 0.00 |
| Kendall Rd Drainage Deposit | 0.00 |
| New Precinct/Voting Machines | 16,961.01 |
| Bond Revocation | 10,000.00 |
| Disaster Relief | 1,433.31 |
| Compensation Funds | 36,630.00 |
| Revaluation | 25,000.00 |
| Master Plan | 50,000.00 |

School Revolving/Grant Accounts

| | | |
|---------------------------|--------------|------------|
| Cash | 1,136,108.21 | |
| School Lunch | | 601,747.49 |
| Athletics | | 32,904.19 |
| Textbooks | | 3,243.26 |
| Adult Education | | 121,330.95 |
| School Bldg. Rental | | 11,158.95 |
| School Facilities Rental | | 1,871.69 |
| Extended Day | | 79,086.09 |
| Dewing School Insurance | | 0.00 |
| Trahan School Insurance | | 0.00 |
| Administration Insurance | | 0.00 |
| Team Chair | | 105,059.91 |
| Met Grant | | 650.00 |
| Health Education | | 6,426.05 |
| Literacy Project | | 7,662.84 |
| Academic Support | | 0.00 |
| Project Charlie | | 10,475.03 |
| Remedial Reading | | 23,885.80 |
| Early Childhood | | 3,786.43 |
| Math/Science | | 3,451.13 |
| Curriculum Access | | 43,414.00 |
| FY2000 Class Size | | 13,334.00 |
| Bell Atlantic Grant | | 2,041.29 |
| Troops to Teachers | | 14,304.00 |
| MA Early Lit | | 0.00 |
| Tech Lit Challenge | | 13,471.21 |
| Seat Belt Program | | 0.00 |
| Tomorrow's Teachers | | 416.90 |
| Community Service Program | | 950.85 |

| | |
|------------------------------|-----------|
| Project Success | 4,279.07 |
| Enhanced Health | 1,050.00 |
| Digital Gift | 2,287.00 |
| Wendy's Gift | 60.00 |
| School Technology Gift | 4,598.31 |
| Garelick Farms Gift | 85.72 |
| Walmart Gift | 119.55 |
| DARE | 441.75 |
| Trees | 327.06 |
| Nature Trail | 0.00 |
| School Gifts | 150.00 |
| Ryan School Furnishings Gift | 6,031.00 |
| Pelletier Scholarship | 3.53 |
| Trahan School Gifts | 500.00 |
| Middle School Gifts | 1.00 |
| E-Rate | 15,468.00 |
| Center School Rental | 5.80 |
| Fleming School Rental | 28.36 |

Capital Projects

| | | |
|-----------------------------------|--------------|--------------|
| Cash | 8,446,815.68 | |
| Financial Software Purchase | | 9,819.00 |
| Police Station | | 490.00 |
| Track | | 9,460.00 |
| New School | | 0.00 |
| School Asbestos/Tank Removal | | 0.00 |
| Water Treatment Plant | | 0.00 |
| Water Plant Expansion | | 68,596.75 |
| Duck Island | | 0.00 |
| Water Contract #20 | | 15,209.14 |
| South Fire Station | | 10,116.36 |
| School Improvements | | 4,550.00 |
| Wynn Middle School Study | | 7,387.39 |
| Roof Repairs | | 0.00 |
| Merrimac River Trail | | (10,000.00) |
| South Street Water | | 67,070.57 |
| Wynn School Construction | | 7,359,473.90 |
| Livingston Recreation Park | | 0.00 |
| Town Hall Remodeling | | 6,422.00 |
| Astle Street Water Tank | | 65,765.39 |
| Center/Dewing School Improvements | | 4,899.24 |
| DPW Building Improvements | | 5,509.06 |
| Sidewalks | | 40,535.37 |
| Senior Center | | 150,000.00 |
| Greenmeadow Sewer | | 339,000.00 |
| Rogers St Water | | 292,511.51 |
| Anthony Rd Water | | 0.00 |

Sewers

| | | |
|---------------------|------------|------------|
| Cash | 463,207.68 | |
| Trahan School | | 0.00 |
| Sewer Rate Relief | | 312,501.95 |
| River/Chandler | | 3,392.75 |
| Phase IV | | 46,712.21 |
| Fire Station/Trahan | | 100,600.77 |

Roads

| | | |
|----------------------|--------------|--------|
| Cash | (331,125.82) | |
| Sidewalk Grant | | 110.54 |
| Chapter 90 (MA37125) | | 0.00 |

| | | |
|--|---------------|---------------|
| Chapter 90 (MA37484) | | (187,402.43) |
| Chapter 90 (MA37836) | | (61,287.20) |
| Chapter 90 (MA38193) | | (4,572.48) |
| Chapter 90 (MA38594) | | (77,974.25) |
| Trusts | | |
| Cash | 2,296,087.90 | |
| Conservation | | 109,755.96 |
| Foster | | 20,062.83 |
| Pierce | | 1,324.63 |
| Cemetery | | 18,662.39 |
| Stabilization | | 182,737.18 |
| Fairgrieve | | 371,100.84 |
| Mahoney | | 1,521.59 |
| Health | | 1,590,922.48 |
| Bank Books in Treasurer's Custody | | |
| | 839,448.76 | |
| Planning Projects | | 576,568.76 |
| Sewer Installers Bonds | | 59,000.00 |
| Conservation Commission | | 203,880.00 |
| Agency Funds | | |
| Cash | 71,321.79 | |
| Deputy Collector | | 323.83 |
| Criminal History Board | | 0.00 |
| Parks Security Deposit | | 3,941.09 |
| Teen Center Snack Bar Deposit | | 288.00 |
| Real Estate Deposits | | 0.00 |
| Student Activities | | 65,993.07 |
| Master Lease | | 775.80 |
| Debt | | |
| Maturing Debt | 44,819,825.44 | |
| Library | | 2,372,800.00 |
| Police Station | | 2,990,000.00 |
| Fire Station | | 1,232,150.00 |
| Roof Repairs | | 209,100.00 |
| Heathbrook Roof | | 0.00 |
| School Roof Repairs | | 2,112,490.00 |
| Ryan School | | 13,085,425.00 |
| High School Track | | 51,000.00 |
| School Tank/Asbestos | | 133,819.00 |
| DPW Tank Removal | | 138,930.00 |
| Town Hall Annex | | 253,500.00 |
| Sewer Andover St | | 70,000.00 |
| Sewer Phase II | | 400,000.00 |
| Sewer Phase III | | 680,000.00 |
| Sewer Main St | | 52,039.00 |
| Sewer Phase 4 Town | | 2,545,650.00 |
| Sewer Phase 5 Town | | 389,350.00 |
| Sewer Phase 5 Town | | 0.00 |
| Sewer Phase 4 Trust | | 1,194,675.63 |
| Sewer Phase 5 Trust | | 2,434,149.81 |
| Town Offices | | 130,560.00 |
| Water Tower Repairs | | 322,125.00 |
| Sewer Trahan/Fire Station | | 290,125.00 |
| Center/Dewing Schools Improvements | | 240,000.00 |
| South Street Water | | 224,000.00 |
| Fire Station | | 144,000.00 |
| Livingston Park | | 90,000.00 |

| | |
|------------------------|--------------|
| Town Hall Remodeling | 89,750.00 |
| Water Treatment Plant | 1,405,000.00 |
| Water Mains 5/91 | 1,450,471.00 |
| WTP Sludge | 350,000.00 |
| Water Mains 5/96 | 500,500.00 |
| WTP Expansion | 2,677,216.00 |
| Water Mains 10/98 | 221,000.00 |
| Water Andover/North St | 100,000.00 |
| Sewer Phase I | 210,000.00 |
| Middle School | 5,220,000.00 |
| Senior Center | 150,000.00 |
| Greenmeadow Sewer | 360,000.00 |
| Rogers Street Water | 300,000.00 |

Loans Authorized/Unissued

| | | |
|--------------------|---------------|---------------|
| Unissued | 18,690,925.00 | |
| WTP Expansion I | | 2,924,000.00 |
| Bike Path | | 30,000.00 |
| WTP Expansion II | | 925.00 |
| Middle School I | | 10,280,000.00 |
| Middle School II | | 1,900,000.00 |
| WTP Expansion III | | 3,000,000.00 |
| Water Anthony Road | | 300,000.00 |
| Sewer Seneca Road | | 256,000.00 |

DEBT ACTIVITY

Payments

| | | |
|----------------------------|------------|--------------|
| Water Mains | 243,500.00 | |
| Treatment Plant | 609,145.00 | |
| Water Tower Repairs | 37,875.00 | |
| School: Construction | 769,125.00 | |
| Roofs | 365,000.00 | |
| Asbestos | 8,400.00 | |
| Track | 8,500.00 | |
| Center/Dewing Improvements | 30,000.00 | |
| Town Offices | 33,430.00 | |
| Tank Removal | 8,690.00 | |
| Sewers | 927,835.27 | |
| Library | 156,800.00 | |
| Police Station | 250,000.00 | |
| Fire Station | 84,750.00 | |
| Livingston St Park | 10,000.00 | |
| Building Roofs | 11,650.00 | |
| Total Principal Paid | | 3,554,700.27 |
| Total Interest Paid | | 1,982,902.27 |

Outstanding:

| | | |
|-----------------------|---------------|---------------|
| Water Mains | 2,795,971.00 | |
| Treatment Plant | 4,432,216.00 | |
| School: Construction | 18,305,425.00 | |
| Roofs | 2,112,490.00 | |
| Track | 51,000.00 | |
| Tank/Asbestos | 133,819.00 | |
| Center Dewing Schools | 240,000.00 | |
| Sewers | 4,997,164.00 | |
| Town Hall Annex | 384,060.00 | |
| Police Station | 2,990,000.00 | |
| Sewers – State | 3,628,825.44 | |
| DPW Tank Removal | 138,930.00 | |
| Library | 2,372,800.00 | |
| Fire Station | 1,376,150.00 | |
| Building Roofs | 209,100.00 | |
| Livingston Park | 90,000.00 | |
| Remodel Town Hall | 89,750.00 | |
| Water Tower | 322,125.00 | |
| Senior Center | 150,000.00 | |
| | | 44,819,825.44 |

FY'2002 Appropriation Recap

| | AVAILABLE | EXPENDED | BALANCE |
|-------------------------------|------------|------------|-----------|
| MODERATOR | | | |
| Salary | 500.00 | 500.00 | 0.00 |
| Operating | 100.00 | 20.00 | 80.00 |
| SELECTMEN | | | |
| Salaries | 23,120.00 | 23,009.48 | 110.52 |
| Operating | 139,488.00 | 131,114.20 | 8,373.80 |
| MANAGER | | | |
| Salaries | 318,346.00 | 311,308.22 | 7,037.78 |
| Operating | 7,574.72 | 4,089.70 | 3,485.02 |
| FINANCE COMMITTEE | | | |
| Salaries | 2,500.00 | 2,494.56 | 5.44 |
| Operating | 1,560.00 | 1,073.77 | 486.23 |
| Reserve Fund | 100,000.00 | 86,802.22 | 13,197.78 |
| ACCOUNTING | | | |
| Salaries | 162,352.00 | 161,277.00 | 1,075.00 |
| Operating | 9,045.71 | 8,644.47 | 401.24 |
| Outlay | 0.00 | 0.00 | 0.00 |
| COMPUTER SERVICES | | | |
| Salaries | 118,759.00 | 118,734.06 | 24.94 |
| Operating | 97,391.82 | 97,391.80 | 0.02 |
| Outlay | 68,095.08 | 68,095.08 | 0.00 |
| ASSESSORS | | | |
| Salaries | 253,581.00 | 250,727.23 | 2,853.77 |
| Operating | 38,950.00 | 35,903.40 | 3,046.60 |
| Outlay | 0.00 | 0.00 | 0.00 |
| TREASURER/COLLECTOR | | | |
| Salaries | 368,501.00 | 368,440.58 | 60.42 |
| Operating | 220,931.00 | 215,626.91 | 5,304.09 |
| Outlay | 0.00 | 0.00 | 0.00 |
| TOWN COUNSEL | 116,000.00 | 106,505.79 | 9,494.21 |
| PERSONNEL REVIEW BOARD | 200.00 | 72.00 | 128.00 |
| ADMIN. SERVICES | | | |
| Salaries | 99,598.00 | 99,306.80 | 291.20 |
| Operating | 8,296.59 | 8,071.17 | 225.42 |
| Outlay | 1,645.44 | 1,584.57 | 60.87 |
| CLERK | | | |
| Salaries | 194,240.00 | 186,790.52 | 7,449.48 |
| Operating | 14,720.00 | 13,983.64 | 736.36 |
| Outlay | 0.00 | 0.00 | 0.00 |

| | AVAILABLE | EXPENDED | BALANCE |
|----------------------------------|--------------|--------------|-----------|
| ELECTIONS | | | |
| Salaries | 21,036.00 | 18,206.69 | 2,829.31 |
| Operating | 5,909.03 | 5,909.03 | 0.00 |
| REGISTRARS | | | |
| Salaries | 2,850.00 | 2,850.00 | 0.00 |
| Operating | 2,460.00 | 2,284.44 | 175.56 |
| CONSERVATION | 3,276.00 | 2,574.00 | 702.00 |
| PLANNING | | | |
| Salaries | 225,846.71 | 225,846.71 | 0.00 |
| Operating | 13,833.84 | 12,384.06 | 1,449.78 |
| Outlay | 0.00 | 0.00 | 0.00 |
| APPEALS | | | |
| Salaries | 4,000.00 | 2,121.09 | 1,878.91 |
| Operating | 2,600.00 | 2,415.12 | 184.88 |
| CABLE TV | | | |
| Salaries | 2,500.00 | 2,166.20 | 333.80 |
| Operating | 2,581.00 | 1,935.30 | 645.70 |
| TOWN HALL | | | |
| Salaries | 33,171.35 | 33,171.35 | 0.00 |
| Operating | 57,261.34 | 53,205.53 | 4,055.81 |
| AUXILIARY BLDG. UTILITIES | 38,512.00 | 31,835.47 | 6,676.53 |
| POLICE | | | |
| Salaries | 4,706,880.28 | 4,704,355.45 | 2,524.83 |
| Operating | 295,411.55 | 295,301.00 | 110.55 |
| Outlay | 279,955.54 | 267,940.06 | 12,015.48 |
| AUXILIARY POLICE | 1,826.00 | 1,795.00 | 31.00 |
| FIRE | | | |
| Salaries | 3,705,042.78 | 3,633,073.54 | 71,969.24 |
| Operating | 222,351.58 | 206,233.89 | 16,117.69 |
| Outlay | 126,611.00 | 125,125.89 | 1,485.11 |
| BUILDING | | | |
| Salaries | 282,170.43 | 282,170.43 | 0.00 |
| Operating | 11,320.00 | 9,714.63 | 1,605.37 |
| Outlay | 0.00 | 0.00 | 0.00 |
| EMERGENCY MANAGEMENT | | | |
| Salaries | 4,340.00 | 4,294.97 | 45.03 |
| Operating | 15,985.00 | 15,659.18 | 325.82 |
| Outlay | | | |
| DOG OFFICER | | | |
| Salaries | 50,349.00 | 49,819.02 | 529.98 |
| Operating | 4,575.00 | 3,460.90 | 1,114.10 |
| Outlay | 23,325.00 | 23,325.00 | 0.00 |

| | AVAILABLE | EXPENDED | BALANCE |
|---------------------------------|---------------|---------------|-------------|
| PARKING CLERK | | | |
| Salaries | 2,000.00 | 2,000.00 | 0.00 |
| Operating | 2,900.00 | 2,695.74 | 204.26 |
| SCHOOLS | | | |
| Salaries | 20,743,814.00 | 20,742,903.76 | 910.24 |
| Operating | 6,991,377.00 | 6,990,421.93 | 955.07 |
| Outlay | 41,450.00 | 41,175.85 | 274.15 |
| REGIONAL VOCATIONAL SCH. | 3,111,114.00 | 3,111,114.00 | 0.00 |
| SCHOOL BUILDING CMTE. | | | |
| Salaries | 4,000.00 | 1,048.61 | 2,951.39 |
| Operating | 200.00 | 0.00 | 200.00 |
| DPW | | | |
| Salaries | 2,233,452.66 | 2,231,334.71 | 2,117.95 |
| Operating | 1,758,001.00 | 1,693,288.81 | 64,712.19 |
| Outlay | 164,559.82 | 164,559.82 | 0.00 |
| SNOW / ICE | | | |
| Salaries | 76,006.00 | 101,277.47 | (25,271.47) |
| Operating | 124,000.00 | 212,285.20 | (88,285.20) |
| Street Lighting | 137,014.00 | 121,496.05 | 15,517.95 |
| Rubbish Collection | 1,040,930.97 | 1,040,930.97 | 0.00 |
| Rubbish Disposal | 1,352,857.00 | 1,352,039.48 | 817.52 |
| Legal Services | 31,548.56 | 31,548.56 | 0.00 |
| Rubbish Stabilization | 166,506.00 | 0.00 | 166,506.00 |
| Recycling Programs | 1,775.00 | 1,769.89 | 5.11 |
| Cemeteries | 3,000.00 | 3,000.00 | 0.00 |
| HEALTH | | | |
| Salaries | 193,249.00 | 175,458.97 | 17,790.03 |
| Operating | 42,667.94 | 37,121.10 | 5,546.84 |
| ELDERLY | | | |
| Salaries | 133,886.00 | 133,816.01 | 69.99 |
| Operating | 61,351.91 | 61,350.48 | 1.43 |
| Outlay | 4,659.09 | 4,659.07 | 0.02 |
| VETERANS SERVICES | | | |
| Salaries | 59,944.00 | 59,943.04 | 0.96 |
| Aid | 108,500.00 | 102,442.12 | 6,057.88 |
| EXCEPTIONAL CHILDREN | | | |
| Salaries | 25,031.42 | 25,011.40 | 20.02 |
| Operating | 14,201.58 | 14,201.58 | 0.00 |
| PATRIOTIC ACTIVITIES | 38,500.00 | 36,525.70 | 1,974.30 |
| HOMECOMING | 15,300.00 | 15,291.54 | 8.46 |
| LIBRARY | | | |
| Salaries | 705,293.00 | 696,459.51 | 8,833.49 |
| Operating | 297,500.00 | 281,639.19 | 15,860.81 |

| AVAILABLE | EXPENDED | BALANCE |
|-----------|----------|---------|
|-----------|----------|---------|

LIBRARY BLDG. STUDY

| | | | |
|-----------|--------|--------|--------|
| Salaries | 250.00 | 130.14 | 119.86 |
| Operating | 50.00 | 0.00 | 50.00 |

RECREATION

| | | | |
|-----------|------------|------------|--------|
| Salaries | 154,755.39 | 154,075.12 | 680.27 |
| Operating | 62,452.61 | 62,077.54 | 375.07 |
| Outlay | 9,260.00 | 9,260.00 | 0.00 |

DEBT/INTEREST

| | | | |
|----------------------|--------------|--------------|-----------|
| Principal | 3,591,240.00 | 3,515,120.96 | 76,119.04 |
| Interest/Debt | 1,982,903.00 | 1,982,902.27 | 0.73 |
| Interest/Temp. Loans | 259,405.00 | 252,126.03 | 7,278.97 |

EMPLOYEE BENEFITS

| | | | |
|----------------------|--------------|--------------|-----------|
| Retirement | 1,764,097.00 | 1,764,097.00 | 0.00 |
| Teachers E.R.I. | 0.00 | 0.00 | 0.00 |
| Occup.Injury Reserve | 122,509.82 | 109,859.01 | 12,650.81 |
| Unemployment Comp. | 43,130.00 | 40,153.05 | 2,976.95 |
| Group Insurance | 5,974,230.00 | 5,974,230.00 | 0.00 |
| Medicare | 316,000.00 | 294,246.72 | 21,753.28 |

FIRE /LIABILITY INSURANCE

| | | |
|------------|------------|----------|
| 363,857.50 | 359,646.30 | 4,211.20 |
|------------|------------|----------|

Board of Assessors

John J Kelley, Jr., MAA, Chairman
Barbara A. Flanagan
Susan Moore, MAA

Phone: (978) 640-4330
Fax: (978) 851-4849
email: assessor@town.tewksbury.ma.us
WEB SITE: <http://www.tewksbury.info/assessor>

| | | <u>FY2002</u> | <u>FY2003</u> |
|---|-------------------------------------|-----------------|-----------------|
| Total Value of Real Property | | \$2,452,984,000 | \$2,491,171,700 |
| Total Value of Personal Property | | \$85,787,785 | \$97,098,230 |
| Total Value of Real + Personal Property | | \$2,538,771,785 | \$2,588,269,930 |
| Tax Rate | Residential/Open Space | \$13.00 | \$13.60 |
| | Commercial/Industrial/Personal | \$21.65 | \$22.47 |
| Motor Vehicle Rate | | \$25.00 | \$25.00 |
| Appropriations | Town Meeting | \$68,445,560 | \$73,204,649 |
| | State & County | \$271,914 | \$272,730 |
| | Overlay of Current Year | \$492,324 | \$684,229 |
| | Other Amounts to be Raised | \$835,942 | \$559,227 |
| | Gross Amount to be Raised | \$70,045,740 | \$74,720,835 |
| | Estimated Receipts | \$31,964,748 | \$34,100,915 |
| | Net Amount To Be Raised By Taxation | \$38,080,992 | \$40,619,921 |

In the past year the Assessors' office has lost two long time employees through retirement. In September Office Manager Ann MacGilvray retired after 15 years service to the town. Last January Chief Assessor Norman Boudreau retired after 26 years as Assessor, 3 years on the Board of Selectmen and 8 years as a member and Chairman of the Finance Committee as well as serving on several other committees. We thank them for their contributions to the town over the years and wish them well in retirement.

The Assessors' office is open daily from 8:30 am to 4:30 pm with extended hours to 7:00 pm on Tuesday.

Treasurer's Cash

| | |
|----------------------------------|------------------|
| CASH ON HAND JUNE 30, 2001 | \$21,422,520.33 |
| RECEIPTS TO JUNE 30, 2002 | \$108,616,082.84 |
| | \$130,038,603.17 |

| | |
|---|--------------------|
| PAID ON WARRANTS TO JUNE 30, 2002 | (\$105,425,093.03) |
| BALANCE JUNE 30, 2002 | \$24,613,510.14 |

DETAIL OF DEBT OUTSIDE OF THE DEBT LIMIT

| | |
|--|-----------------|
| SCHOOL PROJECT-CHAPTER 645, ACTS OF 1948 | \$6,315,725.00 |
| WATER PROJECT-GENERAL LAWS, CHAPTER 44 | \$7,550,312.00 |
| SEWER PROJECT-GENERAL LAWS, CHAPTER 44 | \$210,000.00 |
| | \$14,076,037.00 |

STATEMENT OF TOWN DEBT FISCAL YEAR BASIS

| | |
|------|-----------------|
| 2003 | \$3,858,330.66 |
| 2004 | \$3,643,820.27 |
| 2005 | \$3,621,038.44 |
| 2006 | \$3,513,784.36 |
| 2007 | \$2,852,552.60 |
| 2008 | \$2,741,454.02 |
| 2009 | \$2,569,826.56 |
| 2010 | \$2,463,130.82 |
| 2011 | \$2,451,526.91 |
| 2012 | \$2,225,337.68 |
| 2013 | \$2,154,237.11 |
| 2014 | \$2,158,154.89 |
| 2015 | \$1,917,480.20 |
| 2016 | \$1,916,857.63 |
| 2017 | \$1,896,428.77 |
| 2018 | \$1,445,000.00 |
| 2019 | \$1,080,000.00 |
| 2020 | \$780,000.00 |
| 2021 | \$295,000.00 |
| 2022 | \$295,000.00 |
| | \$43,878,960.92 |

STATEMENT OF INTEREST FISCAL YEAR BASIS

| | |
|------|-----------------|
| 2003 | \$2,051,802.15 |
| 2004 | \$1,854,431.86 |
| 2005 | \$1,681,746.67 |
| 2006 | \$1,510,355.36 |
| 2007 | \$1,344,355.90 |
| 2008 | \$1,224,526.94 |
| 2009 | \$1,108,458.14 |
| 2010 | \$997,602.93 |
| 2011 | \$888,541.73 |
| 2012 | \$779,933.48 |
| 2013 | \$679,016.08 |
| 2014 | \$578,211.54 |
| 2015 | \$481,765.91 |
| 2016 | \$388,764.60 |
| 2017 | \$295,256.25 |
| 2018 | \$206,564.99 |
| 2019 | \$130,379.99 |
| 2020 | \$72,380.01 |
| 2021 | \$29,500.00 |
| 2022 | \$14,750.00 |
| | \$16,318,344.53 |

CASH AND SECURITIES IN CUSTODY OF TOWN TREASURER AS OF JUNE 2002

| | |
|------------------------------------|--------------|
| CONSERVATION | \$109,755.96 |
| FOSTER SCHOOL FUND | \$20,062.83 |
| PIERCE ESSAY FUND | \$1,324.63 |
| CEMETERY PERPETUAL CARE FUND | \$18,662.39 |
| STABILIZATION FUND | \$182,737.18 |
| FAIRGRIEVE MEMORIAL FUND | \$371,100.84 |
| MAHONEY FAMILY REWARD FUND | \$1,521.59 |
| | \$705,165.42 |

Tax Collector

| <u>REAL ESTATE</u> | <u>F/Y 2002</u> | <u>F/Y 2001</u> | <u>F/Y 2000</u> | <u>F/Y 1999</u> | <u>Prior Years</u> |
|--|---------------------|----------------------|---------------------|---------------------|--------------------|
| COMMITMENTS | \$36,223,688.47 | | | | |
| O/S 7/1/01 | | \$648,537.09 | (\$4,513.86) | (\$19,086.47) | |
| COLLECTIONS | \$35,449,435.17 | \$558,619.98 | | | |
| ABATEMENTS | \$206,318.15 | \$4,849.86 | | | |
| REFUNDS | \$46,789.65 | \$58,665.84 | \$3,310.81 | \$10,979.95 | |
| ADDED TO T.T. | \$289,715.78 | \$164,757.02 | | | |
| ADDED TO T.P. | | \$881.71 | | | |
| TAXES IN LITIGATION | | | | | |
| MISC ADJ | \$1,660.00 | 628.57 | | | |
| BALANCE 6/30/02 | \$326,669.02 | (\$21,277.07) | (\$1,203.05) | (\$8,106.52) | |
| <u>WATER/SEWER/SEWER CONN LIENS</u> | | | | | |
| COMMITMENTS | \$383,119.42 | \$79,977.77 | | | |
| O/S 7/1/01 | | | | | |
| COLLECTIONS | \$313,190.42 | \$70,739.12 | | | |
| ABATEMENTS | \$23.76 | \$1,674.26 | | | |
| REFUNDS | | \$837.13 | | | |
| ADDED TO TT | \$39,505.10 | \$8,401.52 | | | |
| ADDED TO T P | | | | | |
| TAXES IN LITIGATION OR DEFERRED | | | | | |
| MISC ADJ | \$228.86 | | | | |
| BALANCE 6/30/02 | \$30,629.00 | \$0.00 | \$0.00 | \$0.00 | |
| <u>PERSONAL PROPERTY</u> | | | | | |
| COMMITMENTS | \$1,865,570.06 | | | | |
| O/S 7/1/01 | | \$28,631.76 | \$24,410.02 | \$12,593.33 | \$12,633.58 |
| COLLECTIONS | \$1,772,043.04 | \$9,708.84 | \$2,213.98 | \$891.43 | \$535.79 |
| ABATEMENTS | \$11,311.02 | \$1,008.21 | \$860.86 | \$467.05 | \$445.35 |
| RESCINDED ABATEMENTS | | | | | |
| REFUNDS | \$1,577.37 | \$8,182.38 | \$1,412.20 | \$1,295.24 | |
| MISC ADJ | (\$4.65) | (\$12.29) | (\$5.91) | (\$9.28) | (\$7.31) |
| BALANCE 6/30/02 | \$83,788.72 | \$26,084.80 | \$22,741.47 | \$12,520.81 | \$11,645.13 |
| <u>MOTOR VEHICLE EXCISE</u> | | | | | |
| COMMITMENTS | \$3,086,984.78 | | | | |
| ADD'L COMMITMENTS | | \$517,689.44 | \$86,682.23 | \$165.63 | |
| O/S 7/1/01 | | \$239,067.17 | \$40,413.04 | \$14,422.30 | |
| COLLECTIONS | \$2,830,789.74 | \$705,954.05 | \$98,270.76 | \$3,110.54 | |
| ABATEMENTS | \$65,338.89 | \$60,870.81 | \$18,801.78 | \$11,569.86 | |
| REFUNDS | \$12,557.58 | \$53,517.79 | \$18,681.59 | \$122.39 | |
| RESCINDED ABATEMENTS | | | | | |
| MISC ADJ | (\$598.43) | \$178.38 | \$113.91 | \$0.08 | |
| BALANCE 6/30/02 | \$202,815.30 | \$43,627.92 | \$28,818.23 | \$30.00 | |
| <u>TAXES IN LITIGATION</u> | | | | | |
| O/S 7/1/01 | | | | | |
| TRANSFER IN | \$2,742.52 | | | | |
| TRANSFER OUT | \$2,742.52 | | | | |
| BALANCE 6/30/02 | \$0.00 | | | | |

Computer Services

2002 has been a very busy year for the Computer Services Department. Beside the normal support issues and activities, several new application and technical research projects were started. Merrimack Education Center was awarded the contract to provide Internet access and e-mail to the Town population and it was rolled out to the users in a phased approach.

The MUNIS activities included some new achievements and procurements. The Purchase Order module was activated after several training sessions to the end-users. The Personnel and Fixed Assets modules are in the development and activation stage at this time. A new Permit & Code Enforcement module was purchased to better track permits within the Town infrastructure. It will be installed in 2003. MUNIS released a new GUI screen upgrade and a new OFFICE upgrade (access to Word and Excel from certain MUNIS screens) which were procured and installed. Several municipalities have contacted the Town inquiring about our MUNIS installation, in-house documentation, and the distributed process scheme in place. Staff attended many of the MUNIS classes, state User Group meetings and the Annual User Conference in Washington, DC. This past year saw MUNIS switch from IQ to Crystal Report Writer for in-house generation of reports. A small library of pre-defined reports was made available; some which are in use. Others were created from scratch.

2002 saw the PAMET upgrade project actually start with the participation of the Computer Services Department. New hardware was procured, staged and installed in the Police Station and three Fire Stations. These included 30 new client PC's, 2 new servers and new network gear. Not only did the Police and Fire Server application become windows compatible, but the PC's and Servers were setup in a Windows 2000 environment. In addition, all personnel were provided individual e-mail accounts and access to Internet at each station. Staff regularly attends classes and user group meetings. Because of the hardware upgrade, a side project was necessary to port various types of pictures from the old to new PC's.

Many PC's were procured this past year enabling Pentium I class machines to be replaced and reducing department maintenance time. Windows 2000 and Office XP were procured and installed. Next year will see the complete transition to a Windows 2000 environment on all Client PC's and Servers. Office XP will completely replace all Office 97 installs.

Computer Services continues to be the publication group for the Town. Projects include: Annual Town Report, Town Meeting Warrant, all Special Town Warrants, and Town Newsletter. In addition, the department continues to produce departmental business cards on request, to scan forms and produce Word templates or documents, to provide calendars for the Town Manager Warrant planning and the Recycle Committee, and to provide service to transpose paper documents to Word or Excel format. Selected department organizational charts are maintained using Becker Chart software.

The Water Meter Guns used to collect data from Residential buildings, became obsolete and non-repairable. An RFQ was created and new guns were procured that allowed use with current house meters but also enabled future use with radio transmitted outlets. They will be used next year.

With the acceptance of a Special Town Meeting article, a part-time Webmaster position was funded. The position was posted and a candidate selected. In-house support of the Town web-site will start next year.

With the hiring of a new Town Engineer, efforts to install a GIS environment have started. An ArcView software upgrade has been procured and an upgrade for AutoCad is being reviewed.

Computer Services continues; to either directly support the main town application systems (Financial, Treasurer, Assessor) or provide consulting services for other applications (Police, Fire, Building, DPW); to provide additional individual user training on PC application use; to maintain and procure additional computer equipment; to provide Help Desk support; to provide consulting support on a variety of computer related issues and projects; to attend seminars and training classes to maintain and increase our knowledge level; to evaluate new hardware and software; and to attend User Group and professional meetings (MUNIS, VISION, PAMET, MGISA).

Respectively submitted,
Stephen M. Hattori
MIS Director

EMPLOYEE EARNINGS

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|---------------------------------|----------------|-----------------|--------------|
| ADMINISTRATIVE SERVICES: | | | |
| Rose, William A. | 42,364.52 | | 42,364.52 |
| Sitar, Melanie G. | 41,813.03 | | 41,813.03 |

| | | | |
|----------------------|-----------|--|-----------|
| ASSESSOR: | | | |
| Boudreau, Norman O. | 19,395.38 | | 19,395.38 |
| Callahan, Edward D. | 12,184.53 | | 12,184.53 |
| Flanagan, Barbara A. | 2,195.60 | | 2,195.60 |
| Kelley, John J. | 57,983.54 | | 57,983.54 |
| Lawrie, Linda M. | 36,259.18 | | 36,259.18 |
| MacGilvray, Anne M. | 47,556.32 | | 47,556.32 |
| Moore, Susan E. | 200.00 | | 200.00 |
| Powers, Patricia A. | 31,801.60 | | 31,801.60 |
| Singleton, Christine | 27,066.71 | | 27,066.71 |
| Trudeau, Cynthia J. | 4,700.70 | | 4,700.70 |

| | | | |
|--------------------|-----------|-------|-----------|
| AUDITORS: | | | |
| Curtis, Linda E. | 31,438.87 | | 31,438.87 |
| Faherty, Cheryl A. | 16,345.21 | 54.22 | 16,399.43 |
| Gill, Donna J. | 56,813.72 | | 56,813.72 |
| Walsh, Donna M. | 75,238.63 | | 75,238.63 |

| | | | |
|--------------------------|----------|--|----------|
| BOARD OF APPEALS: | | | |
| Romano, Cheryl A. | 1,696.94 | | 1,696.94 |

| | | | |
|----------------------------|----------|--|----------|
| BOARD OF SELECTMEN: | | | |
| Anderson, Kevin C. | 5,711.23 | | 5,711.23 |
| Coldwell, Charles E. | 4,999.80 | | 4,999.80 |
| Coppola, Charles T. | 1,730.70 | | 1,730.70 |
| Dennehey, Charlene A. | 1,437.12 | | 1,437.12 |
| Gill, Joseph P. | 4,999.80 | | 4,999.80 |
| Sears, Douglas W. | 3,558.47 | | 3,558.47 |

| | | | |
|-----------------------------|-----------|--|-----------|
| BUILDING DEPARTMENT: | | | |
| Carciofi, Louis . | 38,866.21 | | 38,866.21 |
| Cathcart, Dawn E. | 14,180.62 | | 14,180.62 |
| Colantuoni, Richard A. | 69,373.61 | | 69,373.61 |
| Delaney, Jeremiah . | 21,932.24 | | 21,932.24 |
| Hennessy, Patricia . | 24,708.31 | | 24,708.31 |
| Johnson, Edward P. | 57,655.87 | | 57,655.87 |
| Mazzuchi, Catherine | 18,992.91 | | 18,992.91 |
| Sargent, David . | 24,073.40 | | 24,073.40 |
| Stevens, Sandra L. | 16,298.78 | | 16,298.78 |
| Sullivan, Harold J. | 255.00 | | 255.00 |

| | | | |
|--------------------|--------|--|--------|
| CABLE TV: | | | |
| Barros, Andrew N. | 67.51 | | 67.51 |
| Bradley, David F. | 361.27 | | 361.27 |
| Hicks, David H. | 860.32 | | 860.32 |
| Marsh, William F. | 931.53 | | 931.53 |
| Morgan, Jeffrey J. | 47.25 | | 47.25 |

| | | | |
|---------------------------|-----------|--|-----------|
| COMPUTER SERVICES: | | | |
| Hanson, Lisa A. | 44,411.77 | | 44,411.77 |
| Hattori, Stephen M. | 79,131.58 | | 79,131.58 |

| | | | |
|--------------------------|-----------|----------|-----------|
| COUNCIL ON AGING: | | | |
| Brabant, Linda R. | 62,006.64 | | 62,006.64 |
| Gosnear, Shirley K. | 2,435.40 | | 2,435.40 |
| Hazel, Carol A. | 42,478.34 | | 42,478.34 |
| Noel, Robert S. | 32,464.12 | 3,048.16 | 35,512.28 |
| Walsh, Teresa M. | 2,435.40 | | 2,435.40 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|------------------------------------|----------------|-----------------|--------------|
| DEPARTMENT OF PUBLIC WORKS: | | | |
| Barry, Cornelius J. | 46,179.06 | 3,618.19 | 49,797.25 |
| Belida, Robert A. | 53,488.55 | 6,840.38 | 60,328.93 |
| Burris, William R. | 92,737.89 | | 92,737.89 |
| Chandler Jr, William | 63,875.24 | 4,654.73 | 68,529.97 |
| Chandler, Kenneth | 43,842.58 | 6,122.53 | 49,965.11 |
| Conlon, Kevin M. | 54,072.74 | 6,632.17 | 60,704.91 |
| Deroche, George W. | 59,606.72 | 7,867.94 | 67,474.66 |
| Donovan, Michael B. | 47,895.16 | 6,088.27 | 53,983.43 |
| Fiorello, Thomas M. | 38,627.13 | | 38,627.13 |
| Gath, Brian R. | 52,170.23 | 9,348.54 | 61,518.77 |
| Giannetti, Frank P. | 52,170.22 | 1,868.19 | 54,038.41 |
| Gilbert, Kenneth T. | 6,810.30 | | 6,810.30 |
| Gilbert, Lawrence J. | 42,181.96 | 5,353.44 | 47,535.40 |
| Gitschier, Erik R. | 42,719.37 | 8,857.08 | 51,576.45 |
| Hirtle, Mathew T. | 4,878.72 | 548.85 | 5,427.57 |
| Hudson, Royal R. | 60,527.72 | 12,063.69 | 72,591.41 |
| Kane, Lawrence G. | 53,488.55 | 3,601.08 | 57,089.63 |
| Lambert, Paul F. | 7,224.27 | | 7,224.27 |
| Layne, Kenneth W. | 33,034.32 | 638.16 | 33,672.48 |
| Lightfoot, Ernest J. | 61,851.90 | 14,452.65 | 76,304.55 |
| Lightfoot, James M. | 54,176.40 | 5,622.72 | 59,799.12 |
| MacGilvray, Allan P. | 52,719.14 | 3,954.96 | 56,674.10 |
| Marion II, Louis E. | 4,878.72 | 1,653.10 | 6,531.82 |
| Marion, Bernard H. | 39,019.53 | 5,133.65 | 44,153.18 |
| McCarthy, John P. | 7,564.90 | | 7,564.90 |
| Miner Jr, Robert H. | 42,763.29 | 7,846.28 | 50,609.57 |
| Monahan, Linda M. | 50,512.79 | | 50,512.79 |
| Nolan, James E. | 46,934.69 | 3,964.27 | 50,898.96 |
| Nolan, Robert J. | 53,488.55 | 2,586.16 | 56,074.71 |
| Patterson, Susan M. | 30,620.91 | | 30,620.91 |
| Peters, Michael D. | 51,327.65 | 5,687.33 | 57,014.98 |
| Privetera, Melissa L. | 36,547.08 | | 36,547.08 |
| Richards, Clarence A. | 49,620.62 | 4,928.39 | 54,549.01 |
| Ryder, Wayne E. | 52.00 | | 52.00 |
| Salerno, John M. | 47,066.39 | 13,811.51 | 60,877.90 |
| Shimkus, James P. | 40,726.02 | 2,914.00 | 43,640.02 |
| Stoddard, Richard E. | 55,869.45 | 11,149.45 | 67,018.90 |
| Stronach, Timothy | 52,845.22 | 9,990.04 | 62,835.26 |
| Sweet, Bruce A. | 54,936.76 | 9,070.19 | 64,006.95 |
| Terrazzano, Virginia M. | 5,300.56 | | 5,300.56 |
| Vieweg Jr, Edward L. | 50,759.18 | 6,343.89 | 57,103.07 |
| Vonkahle, Steven J. | 28,957.58 | 716.45 | 29,674.03 |
| Ward, Jack W. | 52,946.88 | 10,953.49 | 63,900.37 |
| Westaway, Richard L. | 56,542.88 | 7,180.09 | 63,722.97 |
| Wilkinson Jr, William J. | 63,146.24 | 19,378.95 | 82,525.19 |
| Wood, Mark P. | 26,026.77 | 2,454.77 | 28,481.54 |
| Zediana, Lewis W. | 68,637.86 | 2,434.23 | 71,072.09 |

| | | | |
|---------------------|-----------|--------|-----------|
| DOG OFFICER: | | | |
| Collins, Walter | 45,048.92 | 384.70 | 45,433.62 |
| Fernald, Brian G. | 6,347.55 | | 6,347.55 |

| | | | |
|---------------------------|--------|--|--------|
| ELECTION OFFICERS: | | | |
| Bairstow, Laurence B. | 178.00 | | 178.00 |
| Bairstow, Suzanne R. | 76.00 | | 76.00 |
| Beattie, Eleanor M. | 270.00 | | 270.00 |
| Beattie, Mary . | 358.00 | | 358.00 |
| Belbin, Evelyn M. | 36.00 | | 36.00 |
| Brenden, Orvin H. | 32.00 | | 32.00 |
| Brenden, Virginia F. | 120.00 | | 120.00 |
| Bullen, Susan M. | 108.00 | | 108.00 |
| Callahan, Angela T. | 828.00 | | 828.00 |
| Callahan, Anne M. | 409.50 | | 409.50 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|-------------------------|----------------|-----------------|--------------|
| Carroll, Alice A. | 447.50 | | 447.50 |
| Casazza, Mary A. | 675.00 | | 675.00 |
| Chandler, Barbara L. | 64.00 | | 64.00 |
| Colman, Judith A. | 40.00 | | 40.00 |
| Conlon, Phyllis E. | 410.00 | | 410.00 |
| Coviello, Anne B. | 296.00 | | 296.00 |
| Coyle, Rita | 678.00 | | 678.00 |
| Cuskey, Lorraine M. | 46,558.61 | | 46,558.61 |
| D'Amico, Bertha M. | 631.00 | | 631.00 |
| Foley, Joanne P. | 358.00 | | 358.00 |
| French Jr, Warren J. | 260.00 | | 260.00 |
| French, Carolyn J. | 102.00 | | 102.00 |
| French, Leighanne M. | 64.00 | | 64.00 |
| Gardner, Susan M. | 120.00 | | 120.00 |
| Gibson, Philomena | 196.00 | | 196.00 |
| Golen, Alice | 747.00 | | 747.00 |
| Haines, Elinor T. | 30,210.28 | | 30,210.28 |
| Hair, Helen A | 331.60 | | 331.60 |
| Hanson, Susan A. | 156.00 | | 156.00 |
| Hurton, Priscilla | 323.60 | | 323.60 |
| Iandolo, Grace R. | 326.00 | | 326.00 |
| Joyce, Anna P. | 128.00 | | 128.00 |
| Keefe, Ellen M. | 611.00 | | 611.00 |
| Kobelski, Carol M. | 112.00 | | 112.00 |
| Krugh, Rosemarie A. | 774.00 | | 774.00 |
| Lefave, Verna T. | 348.00 | | 348.00 |
| Luongo, Yolanda | 366.00 | | 366.00 |
| Lynch, Bernice L. | 42.00 | | 42.00 |
| Magro, Marie T. | 582.50 | | 582.50 |
| Maher, Katherine M. | 406.00 | | 406.00 |
| Maloney, Marie E. | 118.00 | | 118.00 |
| Marchessault, Muriel | 220.00 | | 220.00 |
| Marzeoli, Donald M. | 344.00 | | 344.00 |
| Maxwell, Aurore G. | 240.00 | | 240.00 |
| McCusker, Jeanette | 184.00 | | 184.00 |
| McGloughlin, Rosalie C. | 199.60 | | 199.60 |
| McGrath, Dorothy E. | 594.00 | | 594.00 |
| McKenna, Rose M. | 358.00 | | 358.00 |
| Moore, Frances M. | 259.60 | | 259.60 |
| Morelli, Ann M. | 152.00 | | 152.00 |
| Murray, Carol H. | 136.00 | | 136.00 |
| Nichols, Mary Anne | 846.00 | | 846.00 |
| O'Brien Dee, Rita | 657.00 | | 657.00 |
| Patterson, Stephen R. | 738.00 | | 738.00 |
| Pepin, Mary | 348.00 | | 348.00 |
| Perrin, Virginia L. | 583.60 | | 583.60 |
| Pilcher, Mary | 659.00 | | 659.00 |
| Power, Daniel E. | 116.00 | | 116.00 |
| Power, Elena | 116.00 | | 116.00 |
| Pozerski, Jeanette | 476.00 | | 476.00 |
| Rauseo, Maura A. | 24.00 | | 24.00 |
| Ray, Jean | 588.00 | | 588.00 |
| Ray, Warren P. | 160.00 | | 160.00 |
| Rizzo, Marcie L. | 360.00 | | 360.00 |
| Schaffner, Teresa D. | 40.00 | | 40.00 |
| Sederquist, Evelyn | 348.00 | | 348.00 |
| Selissen, Jerome E. | 75.00 | | 75.00 |
| Sluk, Margaret | 228.00 | | 228.00 |
| Shaw, Phyllis H. | 116.00 | | 116.00 |
| Sprague, Bernice | 861.00 | | 861.00 |
| Stanley, Christina R. | 476.00 | | 476.00 |
| Stanton, Helen F. | 122.00 | | 122.00 |
| Sutherby, Joan F. | 99.60 | | 99.60 |
| Wolfe, Cecilia T. | 550.00 | | 550.00 |

EXCEPTIONAL CHILDREN:

| | | |
|--------------------------|----------|----------|
| Boyle, Molly J. | 1,793.00 | 1,793.00 |
| Carapellucci, Matthew J. | 1,304.00 | 1,304.00 |
| Cedorchuk, Shawn S. | 2,488.00 | 2,488.00 |
| Doherty, Kevin M. | 1,930.50 | 1,930.50 |
| D'Onofrio, Aleece E. | 1,925.00 | 1,925.00 |
| Flynn, Chester H. | 4,238.90 | 4,238.90 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|----------------------|----------------|-----------------|--------------|
| Lamb, Jennifer L. | 1,793.00 | | 1,793.00 |
| Monaco, Melinda K. | 1,304.00 | | 1,304.00 |
| Mulligan, Donald M. | 5,215.62 | | 5,215.62 |
| Mulligan, Matthew | 3,070.86 | | 3,070.86 |
| Sullivan, James M. | 1,793.00 | | 1,793.00 |
| Waterhouse, Sarah F. | 470.70 | | 470.70 |

FINANCE COMMITTEE:

| | | |
|-----------------------|----------|----------|
| D'Entremont, Leann K. | 2,188.19 | 2,188.19 |
|-----------------------|----------|----------|

FIRE DEPARTMENT:

| | | | |
|------------------------|------------|-----------|------------|
| Austin, David L. | 44,532.86 | 6,189.35 | 50,722.21 |
| Brothers, Patrick M. | 51,750.41 | 13,293.42 | 65,043.83 |
| Brothers, William P. | 53,113.42 | 14,892.23 | 68,005.65 |
| Bruce, James W. | 52,134.51 | 13,460.67 | 65,595.18 |
| Burris, John W. | 64,841.32 | 19,447.52 | 84,288.84 |
| Calistro, Robert B. | 57,543.42 | 7,959.37 | 65,502.79 |
| Callahan, Michael P. | 64,330.38 | 18,355.86 | 82,686.24 |
| Camey, David A. | 56,217.68 | 16,409.00 | 72,626.68 |
| Cotugno, Stephen A. | 1,485.91 | | 1,485.91 |
| Coviello, Virginia H. | 48,987.06 | | 48,987.06 |
| Dogherty, Joseph S. | 55,533.38 | 11,403.34 | 66,936.72 |
| Doherty, Patrick S. | 54,351.16 | 18,216.40 | 72,567.56 |
| Eldredge, Steven C. | 8,748.40 | 850.60 | 9,599.00 |
| Forero, Oscar O. | 54,457.70 | 14,449.50 | 68,907.20 |
| Fortunato, Joseph C. | 48,622.15 | 14,334.03 | 62,956.18 |
| Fowler, Robert A. | 81,675.67 | 35,826.13 | 117,501.80 |
| Giasullo Jr, James A. | 52,687.34 | 16,923.56 | 69,610.90 |
| Giasullo, Jeffrey | 52,117.64 | 14,887.49 | 67,005.13 |
| Gillis, Joseph S. | 50,182.70 | 4,174.70 | 54,357.40 |
| Gosse, William R. | 50,125.13 | 8,225.53 | 58,350.66 |
| Gourley Jr, Russell W. | 58,269.22 | 7,128.16 | 65,397.38 |
| Graham, James J. | 6,214.77 | | 6,214.77 |
| Greer Jr, Donald | 56,290.18 | 23,586.82 | 79,877.00 |
| Guttadauro, Paul F. | 52,007.42 | 11,896.22 | 63,903.64 |
| Hamm, Richard E. | 61,265.27 | 13,430.85 | 74,696.12 |
| Hazel, Michael A. | 65,343.60 | 15,420.35 | 80,763.95 |
| Holden, Timothy J. | 54,205.11 | 15,725.65 | 69,930.76 |
| Hurley, Brian J. | 50,799.98 | 3,900.90 | 54,700.88 |
| Karlberg, David R. | 53,491.18 | 20,366.41 | 73,857.59 |
| Keams, Edward J. | 70,368.07 | 2,509.68 | 72,877.75 |
| Keams, Joseph W. | 57,482.19 | 17,525.57 | 75,007.76 |
| Keddie, Scott A. | 66,040.06 | 25,774.96 | 91,815.02 |
| Kerr, Gary O. | 63,470.77 | 16,831.32 | 80,302.09 |
| Lawrie, Dale M. | 49,067.40 | 4,432.63 | 53,500.03 |
| Levy Jr, David W. | 50,469.54 | 11,809.92 | 62,279.46 |
| Levy, David W. | 69,243.90 | 16,926.21 | 86,170.11 |
| Lightfoot, John K. | 60,443.44 | 19,622.31 | 80,065.75 |
| Little, Robert | 52,096.21 | 16,559.79 | 68,656.00 |
| Mackey, Richard | 75,497.69 | 19,869.28 | 95,366.97 |
| McGlaulin, Russell J. | 53,198.62 | 13,982.43 | 67,181.05 |
| Niven, Timothy | 66,219.39 | 13,010.44 | 79,229.83 |
| O'Neill, John | 68,239.84 | 8,283.13 | 76,522.97 |
| Perry, Susan M. | 20,851.13 | | 20,851.13 |
| Powers, Stephen M. | 57,833.61 | 14,141.42 | 71,975.03 |
| Reed, Bruce A. | 80,432.35 | 18,292.77 | 98,725.12 |
| Rosemond, Alan L. | 55,368.03 | 13,313.96 | 68,681.99 |
| Ryan, James P. | 80,324.34 | 25,590.47 | 105,914.81 |
| Ryan, Thomas | 110,415.11 | | 110,415.11 |
| Sitar Jr, Michael W. | 75,467.31 | 21,740.64 | 97,207.95 |
| Sitar, Daniel | 54,541.69 | 14,239.80 | 68,781.49 |
| Small, Daniel T. | 52,538.10 | 15,362.45 | 67,900.55 |
| Spencer, Steven M. | 8,748.40 | 1,020.72 | 9,769.12 |
| Vasas, Albert J. | 62,922.32 | 21,052.68 | 83,975.00 |
| Viscione, Jon | 61,802.62 | 14,371.22 | 76,173.84 |
| Vonkahle, Vance | 58,164.53 | 3,095.94 | 61,260.47 |
| Yost, George | 90,886.47 | | 90,886.47 |

HEALTH DEPARTMENT:

| | | |
|----------------------|-----------|-----------|
| Carbone, Thomas G. | 68,835.40 | 68,835.40 |
| Desmond, Virginia F. | 23,189.23 | 23,189.23 |
| Gorrasi, Pamela J. | 2,435.51 | 2,435.51 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|----------------------|----------------|-----------------|--------------|
| Sheehan, Edward J. | 350.00 | | 350.00 |
| Sullivan, Susan A. | 350.00 | | 350.00 |
| Trearchis, Dean | 29,919.20 | | 29,919.20 |
| Westaway, Barbara | 45,209.85 | | 45,209.85 |
| Wilkie, Stephanie J. | 450.00 | | 450.00 |

LIBRARY:

| | | | |
|-----------------------|-----------|----------|-----------|
| Angelo, Emily J. | 1,019.25 | | 1,019.25 |
| Bangs, Judy A. | 25,949.12 | 1,378.52 | 27,327.64 |
| Berlik, Elizabeth M. | 35,556.55 | 109.28 | 35,665.83 |
| Bradley, Shannon | 7,228.16 | | 7,228.16 |
| Couture, Noelle B. | 35,647.62 | 508.57 | 36,156.19 |
| Crowe, John J. | 31,180.27 | 972.13 | 32,152.40 |
| Desmarais, Elisabeth | 74,697.95 | | 74,697.95 |
| Ford, Ariana A. | 3,972.44 | | 3,972.44 |
| Fowler, Marilyn H. | 25,949.12 | 1,083.68 | 27,032.80 |
| Grasso, Karen A. | 27,503.87 | 457.04 | 27,960.91 |
| Hickford, Raymond E. | 1,559.25 | | 1,559.25 |
| Holland, Gail M. | 27,506.19 | 1,996.14 | 29,502.33 |
| Holland, Stacey R. | 2,183.63 | | 2,183.63 |
| Kutcher, Mary E. | 32,829.61 | | 32,829.61 |
| Lightfoot, Jamie M. | 6,952.95 | 491.34 | 7,444.29 |
| Loneragan, Bridget A. | 35,761.44 | 656.66 | 36,418.10 |
| Lower, Christine A. | 37,046.15 | 556.16 | 37,602.31 |
| Maffeo, Dennis J. | 5,796.33 | | 5,796.33 |
| Moore, Frances A. | 45,342.17 | 67.80 | 45,409.97 |
| Newton, Jennifer E. | 25,949.12 | 2,139.47 | 28,088.59 |
| O'Toole, Nancy E. | 3,159.00 | | 3,159.00 |
| Power, Caroline I. | 1,998.00 | | 1,998.00 |
| Rose, Eric W. | 2,821.50 | | 2,821.50 |
| Salvato, Joyce | 36,508.04 | 496.15 | 37,004.19 |
| Titus, Rosemary J. | 33,412.46 | | 33,412.46 |
| Toombs, Mary E. | 43,655.95 | 170.33 | 43,826.28 |
| Toppin, Joanne R. | 32,330.65 | 1,105.51 | 33,436.16 |
| Wang, Hui W. | 3,804.41 | | 3,804.41 |

MODERATOR:

| | | | |
|-------------------|--------|--|--------|
| Coakley, James P. | 500.00 | | 500.00 |
|-------------------|--------|--|--------|

PLANNING BOARD:

| | | | |
|--------------------------|-----------|--|-----------|
| Bradley, Alison M. | 405.59 | | 405.59 |
| Busch-Accardi, Cheryl A. | 212.50 | | 212.50 |
| Cashell, John M. | 3,013.19 | | 3,013.19 |
| Demeo, Lisa E. | 7,461.92 | | 7,461.92 |
| DiPrimio, Linda A. | 34,601.00 | | 34,601.00 |
| Miggos, Loretta | 56,486.75 | | 56,486.75 |
| Plunkett, David J. | 937.50 | | 937.50 |
| Polchlopek, Walter S. | 46,171.62 | | 46,171.62 |
| Reed, Nancy L. | 637.50 | | 637.50 |
| Romero, Michelle A. | 4,585.60 | | 4,585.60 |
| Sadwick, Steven J. | 80,318.08 | | 80,318.08 |
| Spada, Vincent W. | 850.00 | | 850.00 |
| Sweet, Frank R. | 850.00 | | 850.00 |

POLICE DEPARTMENT:

| | | | |
|--------------------------|-----------|-----------|-----------|
| Amari Jr, Peter | 30,289.73 | | 30,289.73 |
| Barry, John E. | 71,108.75 | 6,694.81 | 77,803.56 |
| Berube, Stephen L. | 604.19 | | 604.19 |
| Bolton, Leonard | 61,182.80 | 4,430.87 | 65,613.67 |
| Budryk, Robert | 71,168.86 | 11,880.28 | 83,049.14 |
| Carey, Patrick R. | 38,891.84 | 9,792.18 | 48,684.02 |
| Carroll, Robert | 68,755.54 | 2,038.88 | 70,794.42 |
| Casey, Thomas M. | 49,374.18 | 5,838.17 | 55,212.35 |
| Columbus, Ryan M. | 51,952.52 | 4,337.71 | 56,290.23 |
| Cooke, Thomas M. | 29,376.12 | 3,533.60 | 32,909.72 |
| Coviello, Christopher J. | 63,131.60 | 10,360.08 | 73,491.68 |
| DeLucia Jr, Joseph F. | 60,476.47 | 5,442.68 | 65,919.15 |
| DiCalogero, Anthony | 85,332.64 | 1,196.03 | 86,528.67 |
| DiCalogero, Cynthia J. | | 91.40 | 91.40 |
| DiPrimio, Jeffrey M. | 1,060.23 | | 1,060.23 |
| Doherty Jr, Paul E. | 50,547.11 | 10,273.97 | 60,821.08 |
| Doherty, Paul | 67,719.60 | 1,890.76 | 69,610.36 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|----------------------------|----------------|-----------------|--------------|
| Donoghue, John | | 220.33 | 220.33 |
| Donovan, Alfred P. | 91,085.09 | 56.33 | 91,141.42 |
| Downey, Jennifer L. | 38,544.77 | 5,237.14 | 43,781.91 |
| Driscoll, Cathy L. | 210.15 | | 210.15 |
| Field, Robert D. | 65,631.14 | 10,205.34 | 75,836.48 |
| Ford, Ralph F. | 91,058.47 | 6,320.23 | 97,378.70 |
| Fowler, John R. | 23,969.79 | 2,610.36 | 26,580.15 |
| Gaynor, Scott P. | 66,055.74 | 12,798.15 | 78,853.89 |
| Godin, David E. | 33,928.79 | 2,041.26 | 35,970.05 |
| Gonzalez, Andre | 58,229.48 | 4,883.22 | 63,112.70 |
| Griffin, Kimberly A. | 30,817.58 | 3,066.20 | 33,883.78 |
| Gundrum, Denise L. | 112,689.29 | | 112,689.29 |
| Hadley, Herbert | | 181.50 | 181.50 |
| Hanley, Eric E. | 10,447.94 | | 10,447.94 |
| Harrington, Patrick J. | 709.14 | | 709.14 |
| Hazel, George W. | 84,864.63 | 7,618.01 | 92,482.64 |
| Higginbotham, Maryellen K. | 54,297.05 | 190.94 | 54,487.99 |
| Hollis, James H. | 59,587.22 | 12,767.59 | 72,354.81 |
| Hood, James | 50,397.77 | 2,027.45 | 52,425.22 |
| Hyde, Philip C. | 15,136.28 | 961.17 | 16,097.45 |
| Jamieson, Walter | 40,115.92 | | 40,115.92 |
| Jop III, Walter J. | 47,675.09 | 11,433.14 | 59,108.23 |
| Kandrotas, Stephen | 81,321.52 | 5,115.17 | 86,436.69 |
| Kelly, Timothy W. | 61,339.21 | 8,604.68 | 69,943.89 |
| Kennedy, Alice M. | 41,945.86 | 1,030.95 | 42,976.81 |
| Kerber, Daniel P. | 59,660.60 | 15,981.14 | 75,641.74 |
| Lafortune, Raymond C. | 56,580.93 | 3,932.40 | 60,513.33 |
| Landers, Richard | 10,900.50 | | 10,900.50 |
| Latta, William | 43,047.32 | | 43,047.32 |
| Layne, Debra A. | 50,409.76 | 492.17 | 50,901.93 |
| Layne, Keith R. | 45,709.04 | 7,784.35 | 53,493.39 |
| Layne, Warren R. | 370.00 | | 370.00 |
| Layne, William D. | 87,960.13 | 10,438.87 | 98,399.00 |
| Lightfoot, Jennie A. | 4,554.08 | | 4,554.08 |
| Luz, James A. | 748.61 | | 748.61 |
| Mackey, John | 154,378.36 | | 154,378.36 |
| Manley, Mary T. | 13,429.52 | | 13,429.52 |
| Martin, Edward L. | 92,230.95 | 10,915.77 | 103,146.72 |
| McClafferty, Sharon J. | 66.97 | 65.27 | 132.24 |
| McKenna, James | 71,462.66 | 7,468.58 | 78,931.24 |
| McLeod, Kathryn Q. | 48,679.06 | 1,738.86 | 50,417.92 |
| McMahon, Markus E. | 39,198.82 | 805.44 | 40,004.26 |
| Morris, Constance | 39,098.12 | 1,758.76 | 40,856.88 |
| Mosher, Beverly B. | 3,832.93 | 699.31 | 4,532.24 |
| Mulvey, Jessica L. | 47,768.70 | 575.99 | 48,344.69 |
| Newton, Eileen | 35,562.46 | | 35,562.46 |
| Newton, Sonia M. | 5,771.07 | | 5,771.07 |
| Papleacos Jr, Stephen N. | 3,001.00 | | 3,001.00 |
| Pappas, Francis | 53,135.91 | 973.37 | 54,109.28 |
| Perry, Henry | 80,233.69 | 6,274.41 | 86,508.10 |
| Perry, Mark | 58,140.97 | 11,424.64 | 69,565.61 |
| Peterson, Dennis | 81,423.88 | 26,923.04 | 108,346.92 |
| Piccolo Jr, Albert A. | 16,308.16 | 1,362.66 | 17,670.82 |
| Piccolo, Arthur M. | 10,447.94 | | 10,447.94 |
| Poisson, Karen A. | 38,826.68 | 3,485.51 | 42,312.19 |
| Porter, Kim M. | 34,482.76 | 3,316.84 | 37,799.60 |
| Powers, John R. | 80,608.36 | 9,031.92 | 89,640.28 |
| Reese, Keren J. | 58,610.93 | 1,943.16 | 60,554.09 |
| Reese, Kevin | 61,060.14 | 3,818.03 | 64,878.17 |
| Riccardi, Kimberly A. | 10,447.94 | | 10,447.94 |
| Ringwood, Paul | 75,593.83 | 7,123.15 | 82,716.98 |
| Schofield, Bradford E. | 31,831.39 | | 31,831.39 |
| Schwalb Jr, William L. | 50,567.58 | 1,619.41 | 52,186.99 |
| Scott, Christopher M. | 6,295.56 | | 6,295.56 |
| Sheehan, Michael P. | 48,898.04 | 603.94 | 49,501.98 |
| Sheehan, Timothy B. | 79,794.78 | 14,850.98 | 94,645.76 |
| Small, Matthew L. | 38,945.20 | 1,721.81 | 40,667.01 |
| Stephens, Allan S. | 49,721.12 | | 49,721.12 |
| Stotik, Robert A. | 65,138.38 | 6,419.73 | 71,558.11 |
| Stotik, Patricia J. | 42,016.20 | 695.82 | 42,712.02 |
| Suarez, Jeffrey | 49,731.36 | 3,987.07 | 53,718.43 |
| Sullivan, Edward M. | 44,852.39 | 2,272.30 | 47,124.69 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|-----------------------|----------------|-----------------|--------------|
| Synan Jr, John F. | 108.23 | | 108.23 |
| Tanguay, Mark J. | | 30.47 | 30.47 |
| Tanguay, Roger J. | 59,148.23 | 4,285.84 | 63,434.07 |
| Thomas Jr, Paul C. | 120.00 | | 120.00 |
| Torres, Steven M. | 58,524.72 | 5,090.73 | 63,615.45 |
| Tumenas, William V. | 24,596.56 | 285.06 | 24,881.62 |
| Voto, John S. | 67,542.82 | 7,527.32 | 75,070.14 |
| Warren, Brian | 49,299.81 | 3,987.99 | 53,287.80 |
| Westaway, Robert L. | 60,001.64 | 9,434.82 | 69,436.46 |
| Williams Jr, James F. | 59,717.37 | 4,002.57 | 63,719.94 |
| Worth, Garin F. | 38,541.24 | 2,072.05 | 40,613.29 |

RECREATION DEPARTMENT:

| | | | |
|------------------------|-----------|--|-----------|
| Anderson, Thomas J. | 1,632.00 | | 1,632.00 |
| Bibo, Ashley A. | 2,084.00 | | 2,084.00 |
| Bibo, Lauren N. | 7,335.53 | | 7,335.53 |
| Byrne, Christopher A. | 1,408.00 | | 1,408.00 |
| Canada, Daniel L. | 1,435.70 | | 1,435.70 |
| Cozza, Christina L. | 2,412.00 | | 2,412.00 |
| Cullity, Lauren M. | 2,816.00 | | 2,816.00 |
| Duffy, David J. | 1,632.00 | | 1,632.00 |
| Duffy, Lianne | 3,861.00 | | 3,861.00 |
| Fabiano, Heather J. | 1,472.00 | | 1,472.00 |
| Favreau, Derek R. | 3,861.00 | | 3,861.00 |
| Favreau, Scott M. | 5,841.05 | | 5,841.05 |
| Ganchi, Michael A. | 4,816.19 | | 4,816.19 |
| Hamm, Maria C. | 3,506.43 | | 3,506.43 |
| Hannus, Carolyn M. | 1,592.00 | | 1,592.00 |
| Heald, Douglas J. | 2,573.50 | | 2,573.50 |
| Hubert, Eugene A. | 1,212.00 | | 1,212.00 |
| Morris, Mark D. | 3,861.00 | | 3,861.00 |
| Mulligan, Colleen | 3,617.70 | | 3,617.70 |
| Mulligan, Kathleen M. | 23,840.91 | | 23,840.91 |
| Mulligan, Thomas P. | 3,564.86 | | 3,564.86 |
| O'Brien, Courtney | 1,432.00 | | 1,432.00 |
| O'Brien, Kaitlyn A. | 1,556.50 | | 1,556.50 |
| Patterson, Roy E. | 50,558.16 | | 50,558.16 |
| Penney, Sherri L. | 2,424.00 | | 2,424.00 |
| Santos, Jennifer N. | 1,592.00 | | 1,592.00 |
| Scott, Suzanne L. | 3,861.00 | | 3,861.00 |
| Sitar III, Michael W. | 4,034.54 | | 4,034.54 |
| Sullivan Iv, Thomas J. | 3,861.00 | | 3,861.00 |
| Sullivan, Kelli R. | 1,666.50 | | 1,666.50 |
| Surette, Kristen M. | 1,592.00 | | 1,592.00 |
| Tammik, Daniel E. | 3,112.60 | | 3,112.60 |
| Torname, Joseph L. | 168.00 | | 168.00 |
| Walsh, Sean M. | 3,041.50 | | 3,041.50 |
| Welch, Tyler J. | 3,443.00 | | 3,443.00 |
| Witham, Jillian L. | 3,905.00 | | 3,905.00 |

REGISTRARS:

| | | | |
|---------------------|--------|--|--------|
| Bennett, Beverly A. | 500.00 | | 500.00 |
| Creamer, Edward D. | 500.00 | | 500.00 |
| Ordway, Donald R. | 500.00 | | 500.00 |

SCHOOL BUILDING COMMITTEE:

| | | | |
|----------------------|--------|--|--------|
| McLaughlin, Maria L. | 683.25 | | 683.25 |
|----------------------|--------|--|--------|

SCHOOL DEPARTMENT:

| | | | |
|------------------------|-----------|--|-----------|
| Abate-Upson, Cynthia | 20,567.20 | | 20,567.20 |
| Acone Callahan, Carole | 67,280.46 | | 67,280.46 |
| Adames, Teri | 35.42 | | 35.42 |
| Adams, Mary Louise B | 47,634.82 | | 47,634.82 |
| Adams, Robin J | 2,844.08 | | 2,844.08 |
| Aiello, Mary Beth J | 47,235.20 | | 47,235.20 |
| Allard, Judith M | 8,713.72 | | 8,713.72 |
| Allen, Charles | 35,857.35 | | 35,857.35 |
| Allen, Lynnette W | 11,987.15 | | 11,987.15 |
| Anderson, Hilary J | 49,603.81 | | 49,603.81 |
| Anderson, Kathleen | 47,255.42 | | 47,255.42 |
| Angelo, Laurie | 12,249.24 | | 12,249.24 |
| Araujo, Henrietta L | 55,752.71 | | 55,752.71 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|-------------------------|----------------|-----------------|--------------|
| Audette, Marsha | 19,800.07 | | 19,800.07 |
| Austin, Linda J | 43,017.84 | | 43,017.84 |
| Aylward, Brian | 63,263.33 | | 63,263.33 |
| Aylward, James | 9,622.94 | | 9,622.94 |
| Aylward, Kathleen V | 37,179.46 | | 37,179.46 |
| Aylward, Norma J | 26,950.88 | | 26,950.88 |
| Aylward, Robert W | 85,259.10 | | 85,259.10 |
| Aylward Jr, Robert W | 3,996.00 | | 3,996.00 |
| Ayube, Debra J | 16,888.61 | | 16,888.61 |
| Bacigalupo, Shelly | 448.50 | | 448.50 |
| Bailey, Lisa J | 44,867.22 | | 44,867.22 |
| Baker, Kathleen | 23,157.40 | | 23,157.40 |
| Ballou, Gary | 30,282.86 | | 30,282.86 |
| Bancroft, Karen J | 42,160.89 | | 42,160.89 |
| Bancroft, Lisa M | 641.25 | | 641.25 |
| Barbera, Tina | 265.63 | | 265.63 |
| Barnett, Sandra | 49,379.92 | | 49,379.92 |
| Barrelle, Jennifer J | 45.50 | | 45.50 |
| Basteri, Cynthia A | 82,923.86 | | 82,923.86 |
| Basteri Jr, Lawrence J | 67,094.24 | | 67,094.24 |
| Battaglia, Terri | 35.42 | | 35.42 |
| Beaulieu, Linda | 13,545.32 | | 13,545.32 |
| Bedard, Maureen | 11,774.82 | | 11,774.82 |
| Belmonte, Joanne D | 6,945.00 | | 6,945.00 |
| Beloine, Elinor | 15,851.53 | | 15,851.53 |
| Bender, Helena A | 1,554.88 | | 1,554.88 |
| Bennett, Elaine M | 16,892.24 | | 16,892.24 |
| Benning, Kristine | 1,046.64 | | 1,046.64 |
| Benvenuto, Kathleen M | 5,795.56 | | 5,795.56 |
| Benzing, Kelly A | 40,962.22 | | 40,962.22 |
| Bettencourt, Sandra C | 58,197.07 | | 58,197.07 |
| Bilodeau, Cathleen | 52,926.31 | | 52,926.31 |
| Black, Dale D | 54,088.33 | | 54,088.33 |
| Blackstone, Jeanne F | 25,069.77 | | 25,069.77 |
| Blakeslee, Donna M | 20,234.64 | | 20,234.64 |
| Blandini, Anthony | 44,102.18 | | 44,102.18 |
| Bliss, Gail | 57,117.49 | | 57,117.49 |
| Bonin, Ana P | 36,534.28 | | 36,534.28 |
| Booth, Cornelia | 173.14 | | 173.14 |
| Boudreau, Rita | 8,814.86 | | 8,814.86 |
| Boudreau-Hill, Donna M | 44,050.16 | | 44,050.16 |
| Bourgeois, Marie R | 3,417.09 | | 3,417.09 |
| Bowers, Gayle P | 9,156.35 | | 9,156.35 |
| Boyden, Maureen | 52,903.77 | | 52,903.77 |
| Boyle, Molly J | 165.44 | | 165.44 |
| Boyle, Nancy M | 39,384.19 | | 39,384.19 |
| Brace, Joann | 933.91 | | 933.91 |
| Bradley, Doreen A | 103.90 | | 103.90 |
| Bradley, Loreen R | 82,423.55 | | 82,423.55 |
| Bradley, Mark A | 3,800.00 | | 3,800.00 |
| Bradley, Thomas M | 3,996.00 | | 3,996.00 |
| Brennan, Anne R | 1,260.00 | | 1,260.00 |
| Breslin DeCiccio, Ann M | 8,363.31 | | 8,363.31 |
| Bresnahan, John C | 55,325.69 | | 55,325.69 |
| Bresnahan, Kimberly J | 63,671.72 | | 63,671.72 |
| Brewin, Deborah A | 47,632.21 | | 47,632.21 |
| Brigida, Robert M | 48,138.95 | | 48,138.95 |
| Brimer, Catherine | 60,111.91 | | 60,111.91 |
| Brooks, Catherine B | 2,130.93 | | 2,130.93 |
| Brooks, Jennifer M | 57,571.56 | | 57,571.56 |
| Bruce, Jami L | 13,937.02 | | 13,937.02 |
| Bucci, Mary Jane | 15,698.84 | | 15,698.84 |
| Buckley, David M | 832.08 | | 832.08 |
| Buckley, Kara M | 44,928.70 | | 44,928.70 |
| Buckley, Maureen A | 56,909.92 | | 56,909.92 |
| Buckley, William Q | 46,349.23 | | 46,349.23 |
| Buehler, Deborah J | 1,810.00 | | 1,810.00 |
| Burke, Joseph E | 34,161.72 | | 34,161.72 |
| Buss, Michael J | 49,998.94 | | 49,998.94 |
| Byrnes, Antoinette | 57,613.15 | | 57,613.15 |
| Byrnes, John | 42,419.13 | | 42,419.13 |
| Caeran, Shelli-An | 5,859.53 | | 5,859.53 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|---------------------------|----------------|-----------------|--------------|
| Callan, Kathleen A | 4,988.75 | | 4,988.75 |
| Callanan, Eileen F | 17,634.37 | | 17,634.37 |
| Cameron, Allison E | 14,117.25 | | 14,117.25 |
| Caracoglia, Jennifer L | 1,459.86 | | 1,459.86 |
| Carey, Gertrude M | 62,518.46 | | 62,518.46 |
| Carey, Michael P | 42,656.05 | | 42,656.05 |
| Carroll, Patricia A | 224.42 | | 224.42 |
| Carson, Carolyn | 4,396.98 | | 4,396.98 |
| Carter, Linda | 11,652.01 | | 11,652.01 |
| Casey, Kathleen | 3,522.42 | | 3,522.42 |
| Castiglione, Linda | 1,736.80 | | 1,736.80 |
| Cataldo, Isabella A | 36,020.78 | | 36,020.78 |
| Cathcart, Dawn E | 2,577.35 | | 2,577.35 |
| Catherwood Jr, William W | 35,270.26 | | 35,270.26 |
| Chace, Ethel M | 58,267.50 | | 58,267.50 |
| Chan, Marjorie J | 3,500.89 | | 3,500.89 |
| Chemaly, Jeffrey S | 8,009.40 | | 8,009.40 |
| Chotkowski, Jane M | 585.20 | | 585.20 |
| Chouinard, Diane J | 27,767.31 | | 27,767.31 |
| Ciambella, Joan | 49,271.26 | | 49,271.26 |
| Ciccolella, Elaine P | 15,948.84 | | 15,948.84 |
| Cintolo, Karen | 50,843.18 | | 50,843.18 |
| Clarke, John C | 74,784.25 | | 74,784.25 |
| Cliff, Mary Anne | 742.50 | | 742.50 |
| Cochran, Rose M | 26,015.27 | | 26,015.27 |
| Cody, Debra J | 53,131.55 | | 53,131.55 |
| Cole, Judith | 1,301.50 | | 1,301.50 |
| Colman, Judith | 32,206.69 | | 32,206.69 |
| Columbus, Ryan M | 2,800.00 | | 2,800.00 |
| Comer, Alexandra E | 18,357.23 | | 18,357.23 |
| Conlon, Ann M | 57,563.61 | | 57,563.61 |
| Conlon, Marjorie | 57,391.44 | | 57,391.44 |
| Conlon, Thomas | 60,995.60 | | 60,995.60 |
| Connell, Kathleen J | 55,573.04 | | 55,573.04 |
| Connell, Loriana | 93.96 | | 93.96 |
| Consaul, Scott J | 2,666.64 | | 2,666.64 |
| Conway, Karla | 79,646.49 | | 79,646.49 |
| Coppola, Paula B | 32,103.46 | | 32,103.46 |
| Cote, Christine | 11,963.66 | | 11,963.66 |
| Cotter, Emily C | 54,337.06 | | 54,337.06 |
| Coughlin, Charles E | 36,622.63 | | 36,622.63 |
| Cournoyer, Lisa T | 55,891.04 | | 55,891.04 |
| Coutermarsh, Marina H | 50.00 | | 50.00 |
| Covington-Wright, Apryl D | 1,005.90 | | 1,005.90 |
| Craft, Lesley A | 4,635.19 | | 4,635.19 |
| Cremin, Christine M | 46,483.19 | | 46,483.19 |
| Cremins, Edward D | 55,837.22 | | 55,837.22 |
| Crowley, Keith D | 2,800.00 | | 2,800.00 |
| Crowley, Mary K | 43,104.08 | | 43,104.08 |
| Cullen, Robert K | 48,132.52 | | 48,132.52 |
| Cummings, Geraldine M | 55,816.83 | | 55,816.83 |
| Curtin, Barbara A | 11,576.01 | | 11,576.01 |
| Curtin, Paula M | 17,299.34 | | 17,299.34 |
| Curtis, Kerry F | 23,142.15 | | 23,142.15 |
| Cuskey Jr, William P | 31,859.51 | | 31,859.51 |
| Cutone, Dawn A | 1,127.91 | | 1,127.91 |
| Cymbura, Deneen A | 1,777.93 | | 1,777.93 |
| DaSilva, Jorge Braz | 33,396.04 | | 33,396.04 |
| Davis, Alma A | 61,561.88 | | 61,561.88 |
| Davis, Janet | 15,709.71 | | 15,709.71 |
| Davos, Diane | 48,116.94 | | 48,116.94 |
| DeAngelis, Margaret A | 487.15 | | 487.15 |
| DeAngelis, Michelina | 88,592.07 | | 88,592.07 |
| Dearing, Maura A | 48,224.63 | | 48,224.63 |
| DelGrosso, Anthony | 35.00 | | 35.00 |
| DelGrosso, Joseph | 47,951.61 | | 47,951.61 |
| DeLucia, Frances | 44,946.30 | | 44,946.30 |
| DeMattia, Debra A | 187.92 | | 187.92 |
| Demos, Shannon | 31,816.19 | | 31,816.19 |
| Dempsey, Diane C | 3,604.20 | | 3,604.20 |
| DeOreo, Sara M | 13,233.77 | | 13,233.77 |
| DePierro, Donna M | 9,612.42 | | 9,612.42 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|-------------------------|----------------|-----------------|--------------|
| Dermody, Joseph J | 50,094.18 | | 50,094.18 |
| Deroche, Julie M | 52,909.05 | | 52,909.05 |
| Deshler, Maryann J | 18,480.58 | | 18,480.58 |
| DeSisto, Carolyn M | 10,260.43 | | 10,260.43 |
| DeVoe, Lynn A | 9,563.04 | | 9,563.04 |
| Dewing, Henry | 35,848.70 | | 35,848.70 |
| Dey, Joan E | 28,409.15 | | 28,409.15 |
| DiAntonio, Kristen R | 3,665.58 | | 3,665.58 |
| Dias, Patricia | 55,311.10 | | 55,311.10 |
| DiCiaccio, Mary | 18,334.96 | | 18,334.96 |
| Dick, Edward K | 2,833.32 | | 2,833.32 |
| Dickinson, Judy | 8,067.73 | | 8,067.73 |
| DiFelice, Allison | 688.64 | | 688.64 |
| DiPersio, Michele | 1,224.83 | | 1,224.83 |
| DiRocco, Kim | 74.50 | | 74.50 |
| DiRocco, Leo | 4,391.00 | | 4,391.00 |
| DiRocco, Todd M | 450.00 | | 450.00 |
| Dobbin, Anna B | 8,010.88 | | 8,010.88 |
| Dobbin, Benedict J | 47,255.18 | | 47,255.18 |
| Dobbin, Travis M | 31,768.25 | | 31,768.25 |
| Doherty, Derek W | 4,467.00 | | 4,467.00 |
| Doherty, Susan C | 7,812.50 | | 7,812.50 |
| Donnelly, Ann M | 9,396.46 | | 9,396.46 |
| Donnelly, Deborah | 4,055.00 | | 4,055.00 |
| Donoghue, Brenda M | 1,907.37 | | 1,907.37 |
| Donoghue, John | 77,632.57 | | 77,632.57 |
| Donovan, Alfred P | 4,391.00 | | 4,391.00 |
| Doolan, Robert D | 48,088.48 | | 48,088.48 |
| Dorrance, Rosamond J | 54,449.52 | | 54,449.52 |
| Doucette, Sandra L | 2,611.15 | | 2,611.15 |
| Drouin Jr, Ronald | 54,800.03 | | 54,800.03 |
| Duncan, Anne | 59,077.97 | | 59,077.97 |
| Dunn, Susan K | 57,425.53 | | 57,425.53 |
| Dykeman, Lynne | 33,881.71 | | 33,881.71 |
| Dziadosz, Judith Ann | 8,991.52 | | 8,991.52 |
| Economou, George | 50,003.73 | | 50,003.73 |
| Edell, Cassandra M | 55,541.71 | | 55,541.71 |
| Edelstein, Eleanor | 38,427.14 | | 38,427.14 |
| Ekberg, Jeffrey C | 525.84 | | 525.84 |
| Eldringhoff, Mary S | 58,491.27 | | 58,491.27 |
| Elwell, Joanne M | 19,497.86 | | 19,497.86 |
| Enos, Teresa A | 47,248.22 | | 47,248.22 |
| Ernest, Adrienne M | 33,289.97 | | 33,289.97 |
| Espinola, Jonathan L | 7,204.20 | | 7,204.20 |
| Ethier, Sandra C | 7,274.18 | | 7,274.18 |
| Evangelista, Geraldine | 2,861.45 | | 2,861.45 |
| Fabiano, Sheila M | 972.91 | | 972.91 |
| Fabrizio, Patricia B | 48,528.13 | | 48,528.13 |
| Fairweather, Paula R | 854.82 | | 854.82 |
| Fallon Jr, Richard F | 33,307.44 | | 33,307.44 |
| Fanning, Maureen A | 210.00 | | 210.00 |
| Faraci, Annina | 59,387.03 | | 59,387.03 |
| Farnham, Jayne | 46,601.03 | | 46,601.03 |
| Farrey Forsyth, Nancy | 56,186.19 | | 56,186.19 |
| Fedorchuk, Joanne M | 642.40 | | 642.40 |
| Ferreira, Karen A | 44,973.09 | | 44,973.09 |
| Ferris, Gerald B | 46,750.08 | | 46,750.08 |
| Fiske, Elaine | 49,690.58 | | 49,690.58 |
| Fitzgerald, Judith I | 18,682.43 | | 18,682.43 |
| Flagg, Kristi L | 38,495.67 | | 38,495.67 |
| Foley, Dorothy | 58,423.35 | | 58,423.35 |
| Foley, Judi K | 58,026.06 | | 58,026.06 |
| Foley, Suzanne A | 1,078.27 | | 1,078.27 |
| Follett, Theresa | 38,042.69 | | 38,042.69 |
| Foran, Robin M | 6,483.04 | | 6,483.04 |
| Ford, Kathleen | 54,109.50 | | 54,109.50 |
| Fortier, Jacqueline M | 2,409.38 | | 2,409.38 |
| Foss, Jamie M | 46,206.01 | | 46,206.01 |
| Fothergill, Patricia M | 10,997.77 | | 10,997.77 |
| Fowler, June | 27,237.87 | | 27,237.87 |
| Francis, Diane T | 10,637.19 | | 10,637.19 |
| Francisco-Marsh, Lynn M | 19,147.53 | | 19,147.53 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|---------------------------|----------------|-----------------|--------------|
| Frank, Joseph C | 56,373.19 | | 56,373.19 |
| Frechette, Leo | 11,000.00 | | 11,000.00 |
| Freeman, Marcia R | 24,194.21 | | 24,194.21 |
| Friedman, Carole | 1,355.27 | | 1,355.27 |
| Friedman, Joan | 46,287.91 | | 46,287.91 |
| Fuller, Jan H | 60,352.06 | | 60,352.06 |
| Gaffney, M Elizabeth | 69,079.32 | | 69,079.32 |
| Gagne, Catherine M | 37,323.53 | | 37,323.53 |
| Gagnon, Christopher J | 11,888.27 | | 11,888.27 |
| Gagnon, Kim M | 43,059.79 | | 43,059.79 |
| Gagnon, Susan | 55,632.00 | | 55,632.00 |
| Gale, Patricia A | 7,239.53 | | 7,239.53 |
| Gallant, John R | 260.30 | | 260.30 |
| Galliford, Carol A | 340.61 | | 340.61 |
| Galligan, Patrick J | 55,123.55 | | 55,123.55 |
| Gallo, Carole A | 58,221.69 | | 58,221.69 |
| Gallotto, Carolyn A | 1,004.90 | | 1,004.90 |
| Garas, Kelly B | 6,027.78 | | 6,027.78 |
| Gardner, Eileen T | 50,089.99 | | 50,089.99 |
| Gariepy, Sally B | 891.75 | | 891.75 |
| Gath, Frances | 55,318.30 | | 55,318.30 |
| Gaudette, Anna P | 21,542.08 | | 21,542.08 |
| Gear Jr, Edward T | 35,450.88 | | 35,450.88 |
| Gearty, Louise | 400.00 | | 400.00 |
| Gendall, Dorothy A | 1,384.85 | | 1,384.85 |
| Giampaolo, Renee M | 1,808.59 | | 1,808.59 |
| Gibson, Kevin J | 53,111.33 | | 53,111.33 |
| Gilbride, Thomas M | 40,807.59 | | 40,807.59 |
| Gillette Manna, Barbara J | 50,784.31 | | 50,784.31 |
| Gillotte, Karen M | 18,650.37 | | 18,650.37 |
| Gillotte, Sarah | 4,507.22 | | 4,507.22 |
| Giordano, Kerry M | 101.08 | | 101.08 |
| Goldstein, Gladys | 10,428.15 | | 10,428.15 |
| Gonzalez, Gloria | 42.02 | | 42.02 |
| Goodno, Judith A | 8,199.73 | | 8,199.73 |
| Gordon, Karen C | 93.74 | | 93.74 |
| Gorski, Arlene M | 1,450.39 | | 1,450.39 |
| Gould, Mary Jo | 41,750.25 | | 41,750.25 |
| Gouthro, Brian M | 13,757.73 | | 13,757.73 |
| Graaskamp, Dorothy A | 44,394.83 | | 44,394.83 |
| Grace, Joanne M | 145.60 | | 145.60 |
| Graham, Donna | 57,019.99 | | 57,019.99 |
| Grant, Jane | 5,352.80 | | 5,352.80 |
| Graves, Gloria J | 55,535.35 | | 55,535.35 |
| Greenman, George C | 50,430.49 | | 50,430.49 |
| Guliani, Denise | 13,811.64 | | 13,811.64 |
| Gurry, Sheila | 49,541.10 | | 49,541.10 |
| Hair-Sullivan, Linda | 57,560.56 | | 57,560.56 |
| Hakala, Robyn D | 16,342.39 | | 16,342.39 |
| Hall, Yvonne M | 400.00 | | 400.00 |
| Hamilton, Gail M | 49,472.02 | | 49,472.02 |
| Hamilton, Linda | 51,803.80 | | 51,803.80 |
| Hamlyn, Joyce G | 1,559.58 | | 1,559.58 |
| Hamm, Richard 3 | 2,800.00 | | 2,800.00 |
| Hanna Durkin, Gale F | 12,575.25 | | 12,575.25 |
| Hansberry, Bonita | 65,849.81 | | 65,849.81 |
| Hanson, Heather | 12,877.33 | | 12,877.33 |
| Harrington, David F | 35,787.31 | | 35,787.31 |
| Harrison, Dolores M | 50,805.81 | | 50,805.81 |
| Harrison, Jaclyn N | 2,527.00 | | 2,527.00 |
| Hassan, Christine | 57,348.50 | | 57,348.50 |
| Hazel, George | 4,242.00 | | 4,242.00 |
| Heartquist, Richard P | 5,684.00 | | 5,684.00 |
| Hecht, Teresa L | 681.05 | | 681.05 |
| Hendrikan, Dianne | 9,558.64 | | 9,558.64 |
| Hennemuth, Trudi | 53,722.38 | | 53,722.38 |
| Herlhy, Mary | 61,196.26 | | 61,196.26 |
| Hersh, Amanda J | 7,572.00 | | 7,572.00 |
| Hession, Joanne B | 46,002.44 | | 46,002.44 |
| Hickey, Brian J | 67,671.34 | | 67,671.34 |
| Higgins, Jodi L | 40,634.39 | | 40,634.39 |
| Hillson, Kimberly H | 40,346.63 | | 40,346.63 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|-------------------------|----------------|-----------------|--------------|
| Hines, Marie E | 1,779.99 | | 1,779.99 |
| Hirsh, Christine | 11,038.20 | | 11,038.20 |
| Hirtle, Maryellen | 39,343.34 | | 39,343.34 |
| Hodgson, Karen M | 34,220.86 | | 34,220.86 |
| Hoffman, Helen M | 2,746.09 | | 2,746.09 |
| Hogan, Sarah T | 22,011.19 | | 22,011.19 |
| Hogan, Susan E | 232.16 | | 232.16 |
| Hopkins, Judith A | 37,643.24 | | 37,643.24 |
| Houmiller, Nancy | 15,439.74 | | 15,439.74 |
| House, Linda | 30,661.45 | | 30,661.45 |
| Hughes, Kelly J | 51,152.95 | | 51,152.95 |
| Hummrich, Gretchen A | 39,876.22 | | 39,876.22 |
| Hurd, Kristin M | 769.51 | | 769.51 |
| Hutchins, Paula M | 66.00 | | 66.00 |
| Hyland, Lori | 47,505.10 | | 47,505.10 |
| Hynes, Kim | 59,724.22 | | 59,724.22 |
| Hyslip, Bonnie | 425.48 | | 425.48 |
| Indelicato, Rosemary | 14,931.81 | | 14,931.81 |
| Ireland, Vikki M | 16,509.93 | | 16,509.93 |
| Irons, Frederick E | 8,400.00 | | 8,400.00 |
| Jackman, Maureen | 49,495.67 | | 49,495.67 |
| Jacobson, Lucy | 2,439.66 | | 2,439.66 |
| Jagla, Barbara J | 46,350.94 | | 46,350.94 |
| Jardin, August P | 55,162.73 | | 55,162.73 |
| Jarek, John F | 56,662.12 | | 56,662.12 |
| Johnson, Andree T | 36,216.16 | | 36,216.16 |
| Johnston, Kimberly T | 14,882.66 | | 14,882.66 |
| Juskiewicz, Jane | 14,449.59 | | 14,449.59 |
| Kaiser, Anna P | 120.00 | | 120.00 |
| Kalajian, Nancy M | 45,861.27 | | 45,861.27 |
| Kalarites, George | 59,999.44 | | 59,999.44 |
| Kalarites, Marcia A | 62,430.71 | | 62,430.71 |
| Kane, Kim | 1,036.92 | | 1,036.92 |
| Kane, Maureen | 51,856.06 | | 51,856.06 |
| Kasparian, Kaspar | 56,680.90 | | 56,680.90 |
| Kaufmann, Leslie | 4,725.07 | | 4,725.07 |
| Kawalski, Patricia | 1,950.43 | | 1,950.43 |
| Keams, Joanne | 32,392.99 | | 32,392.99 |
| Keddie, Patricia A | 53,161.87 | | 53,161.87 |
| Keefe, Barbara A | 11,079.35 | | 11,079.35 |
| Keefe, Sandra M | 36,099.70 | | 36,099.70 |
| Kelley, Dianne L | 4,040.00 | | 4,040.00 |
| Kelley, Jane A | 58,382.96 | | 58,382.96 |
| Kelley, Louise E | 27,197.57 | | 27,197.57 |
| Kelley, Maureen P | 53,821.04 | | 53,821.04 |
| Pepin Kennedy, Mary | 54,368.45 | | 54,368.45 |
| Kibbe, Carolyn F | 56,968.92 | | 56,968.92 |
| King, Pauline J | 78,956.02 | | 78,956.02 |
| Kirwin, Virginia | 52,706.23 | | 52,706.23 |
| Kirwin, William | 58,668.43 | | 58,668.43 |
| Kling, Joyce | 11,527.47 | | 11,527.47 |
| Knight, Kayla L | 684.00 | | 684.00 |
| Kolack, Roseanne | 58,151.19 | | 58,151.19 |
| Kosiba, Kristen D | 54,731.45 | | 54,731.45 |
| Koskey, Pamela A | 47,211.96 | | 47,211.96 |
| Krainski, Joanna D | 70,859.03 | | 70,859.03 |
| Krol, Patricia A | 54,119.59 | | 54,119.59 |
| Krueger, Barbara E | 53,566.20 | | 53,566.20 |
| Krzesinski, Elizabeth A | 41,485.75 | | 41,485.75 |
| Krzesinski, Sheila M | 1,080.00 | | 1,080.00 |
| Kubarsky, Claire M | 45.60 | | 45.60 |
| Kyser, Jean B | 282.48 | | 282.48 |
| LaChance, Susan | 56,194.98 | | 56,194.98 |
| Laffey, John J | 26,762.46 | | 26,762.46 |
| Laffey, Mary | 50,928.25 | | 50,928.25 |
| LaFland, Kimberly A | 47,675.69 | | 47,675.69 |
| LaFrance, Denise L | 30,766.07 | | 30,766.07 |
| Lakeman, Mary E | 552.03 | | 552.03 |
| Lamotte, Susan | 55,993.01 | | 55,993.01 |
| Lane, Jaime A | 43,624.27 | | 43,624.27 |
| Lane, Kerry A | 2,843.00 | | 2,843.00 |
| Langlais, Renee M | 13,101.59 | | 13,101.59 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|----------------------------|----------------|-----------------|--------------|
| Lannon, Patricia | 44,798.43 | | 44,798.43 |
| Larocque, Janice L | 9,279.48 | | 9,279.48 |
| Laws, Nancy | 56,884.27 | | 56,884.27 |
| Lazzara, Karen E | 1,375.00 | | 1,375.00 |
| Lazzara, Mary E | 22,700.43 | | 22,700.43 |
| Leahy, Frederick | 46,374.36 | | 46,374.36 |
| Leary, Colleen | 14,976.82 | | 14,976.82 |
| LeBlanc, Dixie M | 6,720.28 | | 6,720.28 |
| LeBlanc, Heather A | 6,500.70 | | 6,500.70 |
| LeCam, Christine | 340.00 | | 340.00 |
| LeCam, Donna | 63,623.88 | | 63,623.88 |
| LeClair, James L | 58,068.54 | | 58,068.54 |
| Lennon, Carol Ann | 10,550.25 | | 10,550.25 |
| Lesage, Charles | 34,391.24 | | 34,391.24 |
| Levine, Ashley M | 245.00 | | 245.00 |
| Levine, Steven | 66,793.52 | | 66,793.52 |
| Levy-Siopes, Jennifer M | 39,757.38 | | 39,757.38 |
| Lewin, Elisabeth S | 30.40 | | 30.40 |
| Lewis, Helen | 33,726.67 | | 33,726.67 |
| Libby, David A | 54,614.17 | | 54,614.17 |
| Lindsey, Eileen M | 14,626.38 | | 14,626.38 |
| Linskey, Joanne L | 3,372.50 | | 3,372.50 |
| London, Patricia L | 14,187.06 | | 14,187.06 |
| Loosen, Mary | 40,973.26 | | 40,973.26 |
| LoPolito, Christine | 4,352.25 | | 4,352.25 |
| Lovett, Thomas W | 78,778.51 | | 78,778.51 |
| Lussier, Pamela | 18,551.21 | | 18,551.21 |
| Lynch, Joan | 17,008.77 | | 17,008.77 |
| MacDonald, Bruce Allan | 39,756.64 | | 39,756.64 |
| MacDougall, Robert | 77,916.60 | | 77,916.60 |
| MacLeod, Kathleen | 37,405.05 | | 37,405.05 |
| Maguire, Mary | 46,906.48 | | 46,906.48 |
| Mahoney, Eileen | 26,015.27 | | 26,015.27 |
| Mahoney, Eileen M | 135.00 | | 135.00 |
| Malatesta, Rosamond | 56,758.54 | | 56,758.54 |
| Malone, Linda | 53,943.70 | | 53,943.70 |
| Maloy, Anne | 43,436.74 | | 43,436.74 |
| Maloy, John | 47,562.19 | | 47,562.19 |
| Manley II, James | 49,541.01 | | 49,541.01 |
| Mann, Pamela A | 15.20 | | 15.20 |
| Manseau, Mary | 61,582.99 | | 61,582.99 |
| Manzi, Edward R | 48,383.83 | | 48,383.83 |
| Manzi, Robert L | 65,270.33 | | 65,270.33 |
| Maranville, Marie L | 53,189.42 | | 53,189.42 |
| Marcella, Jennifer K | 44,186.36 | | 44,186.36 |
| March, Donna | 572.57 | | 572.57 |
| Marchand, Jon A | 39,456.49 | | 39,456.49 |
| Marcheterre, Lisa A | 52,526.80 | | 52,526.80 |
| Marcinkewich, Patricia | 72.50 | | 72.50 |
| Marcus, David | 52,209.58 | | 52,209.58 |
| Marget, Lisa G | 9,671.25 | | 9,671.25 |
| Marion Jr, Louis E | 48,463.14 | | 48,463.14 |
| Marsh, Elsa A | 49,751.38 | | 49,751.38 |
| Martel, Patricia M | 37,998.89 | | 37,998.89 |
| Martin, Daniel N | 47,394.03 | | 47,394.03 |
| Martucci, Denise B | 3,728.23 | | 3,728.23 |
| Mascia, Kathleen J | 465.89 | | 465.89 |
| Matysczak, Helen | 55,157.05 | | 55,157.05 |
| Mayotte, Teresa A | 1,078.27 | | 1,078.27 |
| McAndrews, Patrick F | 57,577.45 | | 57,577.45 |
| McArdle, Katharine J | 2,527.00 | | 2,527.00 |
| McArdle, Kevin P | 86,608.42 | | 86,608.42 |
| McArdle Milenavich, Sharon | 58,979.48 | | 58,979.48 |
| McBrine, Monica | 35,107.13 | | 35,107.13 |
| McCabe, Evelyn D | 11,712.77 | | 11,712.77 |
| McCabe, Robert F | 50,551.14 | | 50,551.14 |
| McCann, Joseph F | 46,961.76 | | 46,961.76 |
| McCarthy, Robert | 37,880.58 | | 37,880.58 |
| McCormick, Annmarie | 24,722.26 | | 24,722.26 |
| McDade, Pamela | 54,639.79 | | 54,639.79 |
| McDonnell, Patricia R | 56,962.56 | | 56,962.56 |
| McDonough, Donna M | 3,503.75 | | 3,503.75 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|------------------------|----------------|-----------------|--------------|
| McFadden, Kelly A | 43,594.31 | | 43,594.31 |
| McGilvery, Eva-Maria T | 25,548.87 | | 25,548.87 |
| McGinn, Marybeth | 47,403.43 | | 47,403.43 |
| McGowan, Muriel | 11,083.00 | | 11,083.00 |
| McGrath, Christine L | 124,439.01 | | 124,439.01 |
| McGrath, Michelle L | 40,898.59 | | 40,898.59 |
| McGrath, Robert M | 45,642.44 | | 45,642.44 |
| McGregor, Anne B | 9,193.00 | | 9,193.00 |
| McGuire, James | 94,731.51 | | 94,731.51 |
| McGuire, Jared J | 937.50 | | 937.50 |
| McGuirk, Julie | 58,033.25 | | 58,033.25 |
| McIntosh, Susan D | 73.50 | | 73.50 |
| McKenna, Donna M | 20,852.78 | | 20,852.78 |
| McLaughlin, Maria L | 3,924.92 | | 3,924.92 |
| McNamara, Charlene M | 4,850.48 | | 4,850.48 |
| McNamara, Maureen | 57,073.35 | | 57,073.35 |
| McSheehy, Erin C | 38,938.16 | | 38,938.16 |
| McSheehy, Maureen | 54,624.99 | | 54,624.99 |
| McWilliams, Brenda | 49,434.40 | | 49,434.40 |
| Meharg, Heidi E | 2,780.00 | | 2,780.00 |
| Mercier, Kelly E | 20,476.30 | | 20,476.30 |
| Merrill, Brandi | 120.00 | | 120.00 |
| Merrill, Jennifer A | 48,218.78 | | 48,218.78 |
| Messina, Vincent J | 12,848.31 | | 12,848.31 |
| Metivier, Krista M | 10,387.44 | | 10,387.44 |
| Meuse, Laurie J | 15.66 | | 15.66 |
| Meuse, Molly E | 79.05 | | 79.05 |
| Meuse, Patricia M | 38,015.47 | | 38,015.47 |
| Middleton, Judith A | 41,598.63 | | 41,598.63 |
| Miller, Sandra H | 24,425.28 | | 24,425.28 |
| Minichiello, Eva M | 534.98 | | 534.98 |
| Mofield, Kathleen | 61,774.67 | | 61,774.67 |
| Montecalvo, Dolores | 12,878.60 | | 12,878.60 |
| Mooney, Donna B | 59,945.44 | | 59,945.44 |
| Mootrey, Janel L | 362.50 | | 362.50 |
| Mootrey, Kathleen J | 53,111.33 | | 53,111.33 |
| Morales, Michael D | 269.80 | | 269.80 |
| Morandi, Denise | 47,365.01 | | 47,365.01 |
| Morello, Mary Beth | 25,299.06 | | 25,299.06 |
| Moriarty, Carol G | 34,910.70 | | 34,910.70 |
| Morrill Jr, Thomas A | 53,905.02 | | 53,905.02 |
| Morris, Mary C | 13,248.89 | | 13,248.89 |
| Morrissey, Joanne M | 54,671.71 | | 54,671.71 |
| Morse, Carol A | 557.50 | | 557.50 |
| Morsicato, Dorothy A | 297.55 | | 297.55 |
| Moser, Sharon J | 59,229.99 | | 59,229.99 |
| Mrozowski, Jennifer | 53,979.36 | | 53,979.36 |
| Mugford, Debralee | 9,823.41 | | 9,823.41 |
| Mullen, David | 50,144.98 | | 50,144.98 |
| Mulloy, Sheri F | 14,571.43 | | 14,571.43 |
| Mulno, Susan | 2,806.00 | | 2,806.00 |
| Murphy, Eileen M | 2,780.00 | | 2,780.00 |
| Murphy, Lois E | 20,090.79 | | 20,090.79 |
| Murphy, Robin A | 1,112.15 | | 1,112.15 |
| Murray, Mary C | 70.76 | | 70.76 |
| Napoli, Patricia A | 25,590.68 | | 25,590.68 |
| Nastasi, Maryellen A | 40,551.14 | | 40,551.14 |
| Natola, Ralph J | 77,716.06 | | 77,716.06 |
| Navetta, Carol M | 41,473.82 | | 41,473.82 |
| Neal, Terrance F | 33,185.32 | | 33,185.32 |
| Neary Hughes, Lisa | 54,086.49 | | 54,086.49 |
| Nee, Mary Elizabeth | 51,206.85 | | 51,206.85 |
| Newberg, Courtney B | 40,884.79 | | 40,884.79 |
| Newton, Richard H | 37,501.60 | | 37,501.60 |
| Nichols, Laurie M | 16.50 | | 16.50 |
| Nichols, Timothy R | 165.00 | | 165.00 |
| Norton, Michele | 38.20 | | 38.20 |
| Norton, Paul E | 2,843.00 | | 2,843.00 |
| O'Brien, Brenda A | 46,646.80 | | 46,646.80 |
| O'Brien, Joanne | 54,955.65 | | 54,955.65 |
| O'Brien, John H | 24,560.74 | | 24,560.74 |
| O'Donnell, Andrea M | 53,111.33 | | 53,111.33 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|---------------------------|----------------|-----------------|--------------|
| O'Hara, Ann | 55,298.08 | | 55,298.08 |
| O'Keefe, Stephen J | 2,780.00 | | 2,780.00 |
| Okun, Alison B | 29,809.14 | | 29,809.14 |
| Osborne, M Eileen T | 49,356.75 | | 49,356.75 |
| Osterberg, Roy | 38,161.88 | | 38,161.88 |
| Osterman, Glenn W | 56,442.53 | | 56,442.53 |
| Osterman, Marcia | 36,108.36 | | 36,108.36 |
| O'Sullivan, Rita | 58,352.36 | | 58,352.36 |
| Otus, Richard | 56,121.26 | | 56,121.26 |
| Page, Donald C | 34,813.64 | | 34,813.64 |
| Page, Ronald G | 30,867.90 | | 30,867.90 |
| Pagnavilas, Stephanie | 59,675.75 | | 59,675.75 |
| Paglia, Diane | 11,509.45 | | 11,509.45 |
| Palm, Judith M | 58,048.81 | | 58,048.81 |
| Papik, Elizabeth | 57,001.78 | | 57,001.78 |
| Paquette, Sharon | 1,517.71 | | 1,517.71 |
| Parker, Lisa E | 49,603.46 | | 49,603.46 |
| Patterson, Roy | 2,760.00 | | 2,760.00 |
| Patterson, Susan | 59,824.07 | | 59,824.07 |
| Paul, George S | 85,988.78 | | 85,988.78 |
| Payne, Yvette | 10,941.96 | | 10,941.96 |
| Peach, Dorothy | 26,834.50 | | 26,834.50 |
| Pellegrini, Diane L | 18,930.91 | | 18,930.91 |
| Penney, Kathleen | 15,764.78 | | 15,764.78 |
| Penza, Frederick | 50,205.02 | | 50,205.02 |
| Permin, Ronald D | 1,400.00 | | 1,400.00 |
| Permin, Ruth | 2,499.96 | | 2,499.96 |
| Petalas, Marjorie A | 56,517.30 | | 56,517.30 |
| Peters, Kathleen A | 1,456.56 | | 1,456.56 |
| Peterson, Dennis J | 2,763.96 | | 2,763.96 |
| Peterson, Elizabeth A | 37,788.64 | | 37,788.64 |
| Peterson Jr, Dennis J | 2,509.00 | | 2,509.00 |
| Petkewich, Grace | 11,603.19 | | 11,603.19 |
| Pilat, Roger | 62,760.98 | | 62,760.98 |
| Pincher, Jeanne K | 42,582.55 | | 42,582.55 |
| Piscione, Claire | 51,205.12 | | 51,205.12 |
| Piscione, William | 63,273.30 | | 63,273.30 |
| Pishock, Patricia | 47,248.39 | | 47,248.39 |
| Poirer, Nicole | 307.80 | | 307.80 |
| Polce, Ann M | 7,924.97 | | 7,924.97 |
| Pollard, Gail A | 35,104.45 | | 35,104.45 |
| Porcaro, Cheryl | 80,717.06 | | 80,717.06 |
| Prayne, Paula M | 46.98 | | 46.98 |
| Preston, Danielle | 12,821.79 | | 12,821.79 |
| Primerano, Mary A | 58,709.26 | | 58,709.26 |
| Pringle, James R | 47,793.97 | | 47,793.97 |
| Prodanas, Stephen | 60,150.14 | | 60,150.14 |
| Puma, Dustine R | 53,767.77 | | 53,767.77 |
| Quinn, John F | 93,031.07 | | 93,031.07 |
| Randlett, Jeannine M | 90.51 | | 90.51 |
| Rauseo, Nicole M | 40,682.00 | | 40,682.00 |
| Ravagnn, Caroline C | 756.68 | | 756.68 |
| Loosen, Estate of Raymond | 9,594.58 | | 9,594.58 |
| Read, Elinor A | 55,653.13 | | 55,653.13 |
| Reading, Robin | 51,109.99 | | 51,109.99 |
| Reale, Patricia A | 9,312.38 | | 9,312.38 |
| Rebelo, Carlos | 1,044.22 | | 1,044.22 |
| Redman, Sarah A | 12,268.61 | | 12,268.61 |
| Redmond, Kimberly A | 493.58 | | 493.58 |
| Reed, Claire | 52,359.78 | | 52,359.78 |
| Reimold, Jennifer L | 42,562.53 | | 42,562.53 |
| Reyes, Janet E | 42,745.69 | | 42,745.69 |
| Rice, Joseph F | 35,641.32 | | 35,641.32 |
| Rich, Tammy | 4,638.14 | | 4,638.14 |
| Rideout, Gerald | 67,731.55 | | 67,731.55 |
| Rideout, Maureen | 60,399.99 | | 60,399.99 |
| Riley, Elaine | 50,598.99 | | 50,598.99 |
| Roberts, Mar-margaret | 50,792.76 | | 50,792.76 |
| Robichaud, Ellen-Dale | 7,686.31 | | 7,686.31 |
| Robillard, Katherine P | 45,068.11 | | 45,068.11 |
| Robinson, Beverly | 29,258.34 | | 29,258.34 |
| Robinson, Elizabeth C | 57,476.50 | | 57,476.50 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|----------------------------|----------------|-----------------|--------------|
| Robishaw, Don L | 6,194.23 | | 6,194.23 |
| Rodgers, Jamie | 4,743.47 | | 4,743.47 |
| Rodgers, Kristu | 42,608.91 | | 42,608.91 |
| Rodriquez, Magaly | 1,010.80 | | 1,010.80 |
| Rogacki, Daniel | 49,245.98 | | 49,245.98 |
| Rogers, Kristina | 58,209.86 | | 58,209.86 |
| Rogers, Valerie E | 27,618.30 | | 27,618.30 |
| Romano, Anthony | 83,646.64 | | 83,646.64 |
| Romanowsky, Peter C | 684.00 | | 684.00 |
| Ronan, Cathy | 73,300.12 | | 73,300.12 |
| Ronan, Mark J | 684.00 | | 684.00 |
| Ross, Heidi C | 33,501.22 | | 33,501.22 |
| Rouff, Francesca | 55,518.80 | | 55,518.80 |
| Rubico, Geraldine | 33,743.50 | | 33,743.50 |
| Russell, Joseph E | 1,666.64 | | 1,666.64 |
| Ryan, Erin M | 1,092.00 | | 1,092.00 |
| Ryan, Kenneth J | 17,993.93 | | 17,993.93 |
| Ryan, Sandra | 61,084.53 | | 61,084.53 |
| Ryan, Sandra | 20,963.14 | | 20,963.14 |
| Ryan, Thomas F | 47,014.20 | | 47,014.20 |
| Ryder, Elizabeth | 6,384.11 | | 6,384.11 |
| Ryser, Patricia A | 54,761.79 | | 54,761.79 |
| Sacramone, Agnes | 61,471.29 | | 61,471.29 |
| Sacramone-Greene, Donna M | 47,285.74 | | 47,285.74 |
| Sagro, Carol | 58,496.26 | | 58,496.26 |
| Saindon, Denise M | 49,108.10 | | 49,108.10 |
| Sanclemente, Marilyn | 153.21 | | 153.21 |
| Sanford, Shirley | 56,863.32 | | 56,863.32 |
| Santilli, Kathleen A | 12,161.77 | | 12,161.77 |
| Santos Zambella, Elizabeth | 49,577.94 | | 49,577.94 |
| Sarsfield, Erin M | 4,177.51 | | 4,177.51 |
| Sartori, Anita | 33,465.12 | | 33,465.12 |
| Schulthens, Steven H | 53,717.81 | | 53,717.81 |
| Scofield, Susan | 49,245.98 | | 49,245.98 |
| Scott, Andrea M | 975.00 | | 975.00 |
| Schoa, Eugene | 48,982.19 | | 48,982.19 |
| Sears, Douglas W | 833.32 | | 833.32 |
| Segnini, Jessica B | 671.18 | | 671.18 |
| Shah, Smita | 14,403.90 | | 14,403.90 |
| Shanley, Thomas J | 37,493.49 | | 37,493.49 |
| Sharkey, James F | 59,503.78 | | 59,503.78 |
| Sharkey, Kimberly A | 3,612.50 | | 3,612.50 |
| Shattuck, Beverly M | 11,872.17 | | 11,872.17 |
| Sheehan, Ann B | 5,065.00 | | 5,065.00 |
| Sheehan, Kimberly A | 9,794.74 | | 9,794.74 |
| Shikles, Alison | 11,146.16 | | 11,146.16 |
| Shimkus, James P | 30,500.60 | | 30,500.60 |
| Shirkoff, Pamela A | 49,448.79 | | 49,448.79 |
| Shoff, Erin M | 928.13 | | 928.13 |
| Shoff, Kathleen T | 10,760.18 | | 10,760.18 |
| Silva, Barbara J | 991.87 | | 991.87 |
| Simmons, Deanna I | 8,096.38 | | 8,096.38 |
| Skinner, Ted J | 6,245.17 | | 6,245.17 |
| Skorowski, Maria | 20,440.91 | | 20,440.91 |
| Slezak, Diane N | 53,210.06 | | 53,210.06 |
| Smallidge, Nicole | 37,330.00 | | 37,330.00 |
| Smith, Margaret | 33,786.98 | | 33,786.98 |
| Smith, Thomas | 2,864.58 | | 2,864.58 |
| Sobel, Audrey J | 18,598.77 | | 18,598.77 |
| Sosnowska, Agnieszka | 42,608.91 | | 42,608.91 |
| Souza, Florence F | 54,514.20 | | 54,514.20 |
| Spaulding, Jennifer E | 58,282.46 | | 58,282.46 |
| Speros, Elaine F | 58,084.02 | | 58,084.02 |
| Squires, Melissa M | 1,680.00 | | 1,680.00 |
| Stack, Catherine F | 41,420.03 | | 41,420.03 |
| Staples, Maureen | 40.11 | | 40.11 |
| Starling, Kathleen A | 1,578.04 | | 1,578.04 |
| Starling, Stephanie C | 1,168.75 | | 1,168.75 |
| Stevens, Barbara | 14,937.01 | | 14,937.01 |
| Stocki, Penny L | 854.27 | | 854.27 |
| Stone, Kimberly M | 57,805.21 | | 57,805.21 |
| Stone, Phillip J | 42,352.11 | | 42,352.11 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|---------------------------|----------------|-----------------|--------------|
| Storms, Mary Ann | 19,858.44 | | 19,858.44 |
| Stratis, Patricia | 60,004.02 | | 60,004.02 |
| Stronach, Richard J | 39,043.52 | | 39,043.52 |
| Sughrue, Shaun M | 39,067.16 | | 39,067.16 |
| Sujko, Tara A | 37,584.38 | | 37,584.38 |
| Sullivan, Barbara J | 46,781.38 | | 46,781.38 |
| Sullivan, Barry J | 40,991.39 | | 40,991.39 |
| Sullivan, Carole | 59,513.68 | | 59,513.68 |
| Sullivan, Danielle C | 443.75 | | 443.75 |
| Sullivan, Deborah | 26,612.33 | | 26,612.33 |
| Sullivan, Dolores | 82,283.35 | | 82,283.35 |
| Sullivan, Donald | 66,923.23 | | 66,923.23 |
| Sullivan, Heather M | 1,225.00 | | 1,225.00 |
| Sullivan, Laura L | 9,453.86 | | 9,453.86 |
| Sullivan, Linda M | 4,402.95 | | 4,402.95 |
| Sullivan, Stella F | 38,718.69 | | 38,718.69 |
| Sullivan, Susan M | 52,269.63 | | 52,269.63 |
| Sullivan Jr, James T | 47,613.50 | | 47,613.50 |
| Sullivan Sr, James T | 2,780.00 | | 2,780.00 |
| Sutliff, Nadine B | 59,039.09 | | 59,039.09 |
| Swan, Hilary J | 4,371.71 | | 4,371.71 |
| Szmyt, Kelley M | 266.59 | | 266.59 |
| Talford, Ginamarie | 59,539.68 | | 59,539.68 |
| Taylor, Josephine | 446.88 | | 446.88 |
| Teas, Nancy | 19,348.08 | | 19,348.08 |
| Tellier, Holly | 22,426.86 | | 22,426.86 |
| Tellier, Matthew T | 2,562.50 | | 2,562.50 |
| Tellier, Patricia | 56,792.81 | | 56,792.81 |
| Terris, Shelley A | 46,859.91 | | 46,859.91 |
| Themeles, Betty Ann | 55,545.06 | | 55,545.06 |
| Themeles, Christine | 57,210.05 | | 57,210.05 |
| Theriault, Joanna N | 1,155.41 | | 1,155.41 |
| Theriault-Regan, Brenda M | 38,570.52 | | 38,570.52 |
| Thompson, Nancy G | 32,292.96 | | 32,292.96 |
| Thuillier, Peter G | 42,538.71 | | 42,538.71 |
| Tildsley, Sharon | 1,670.00 | | 1,670.00 |
| Times, Cindy D | 16,894.45 | | 16,894.45 |
| Tirabassi, Melanie A | 13,270.77 | | 13,270.77 |
| Tomame, Nancy | 21,015.39 | | 21,015.39 |
| Tower, Elaine M | 65.10 | | 65.10 |
| Tozlowski, Mary A | 6,747.41 | | 6,747.41 |
| Trevor, Denise A | 9,027.57 | | 9,027.57 |
| Trickett, Donna M | 2,210.51 | | 2,210.51 |
| Turcotte, Mary E | 251.69 | | 251.69 |
| Vadnais, Nancy D | 3,820.00 | | 3,820.00 |
| Vella, Loren M | 42,569.14 | | 42,569.14 |
| Ventura, Catherine F | 54,111.33 | | 54,111.33 |
| Vibber, Sandra | 13,506.25 | | 13,506.25 |
| Vieira, Barbara | 680.00 | | 680.00 |
| Viola, Judy | 249.90 | | 249.90 |
| Vitallo, Barbara | 53,611.92 | | 53,611.92 |
| Waitte, Stefani G | 53,644.43 | | 53,644.43 |
| Waldrup, Roberta | 4,294.01 | | 4,294.01 |
| Walker, Catherine M | 48,160.51 | | 48,160.51 |
| Wallace, Joy C | 3,982.67 | | 3,982.67 |
| Walsh, Cynthia E | 607.51 | | 607.51 |
| Walsh, Elaine | 37,932.28 | | 37,932.28 |
| Walsh, Joseph C | 94,886.92 | | 94,886.92 |
| Walsh, Leanne M | 769.51 | | 769.51 |
| Ware, Karen Ann | 49,564.55 | | 49,564.55 |
| Ware, Robert | 51,497.89 | | 51,497.89 |
| Weidknecht, Marguerite K | 42,462.17 | | 42,462.17 |
| Weir III, John S | 50,275.37 | | 50,275.37 |
| Welch, Megan C | 1,600.50 | | 1,600.50 |
| Welch, Patricia | 9,515.00 | | 9,515.00 |
| White, Rose M | 1,364.58 | | 1,364.58 |
| White, Stanley D | 53,111.42 | | 53,111.42 |
| Whitehead, Maureen | 55,121.69 | | 55,121.69 |
| Whittlesey Jr, Roger | 54,241.90 | | 54,241.90 |
| Williamson, Jacqueline | 58,399.16 | | 58,399.16 |
| Wilson, Jane | 731.93 | | 731.93 |

| | <u>Regular</u> | <u>OT/Other</u> | <u>Total</u> |
|-------------------|----------------|-----------------|--------------|
| Wilson, Keith L | 2,805.92 | | 2,805.92 |
| Wilson, William B | 32,106.13 | | 32,106.13 |
| Winters, Scott A | 53,158.21 | | 53,158.21 |
| Witham, Cheryl | 48,147.15 | | 48,147.15 |
| Wogan, Dale | 2,216.10 | | 2,216.10 |
| Woodman, Janice M | 11,774.82 | | 11,774.82 |
| Yaeger, Warren J | 62,580.38 | | 62,580.38 |
| Yeats, Rhonda E | 51,958.02 | | 51,958.02 |
| Young, Keith E | 62,949.95 | | 62,949.95 |
| Zaroulis, James G | 8,093.75 | | 8,093.75 |
| Zbieg, Richard | 58,446.95 | | 58,446.95 |
| Zier, Mary Ellen | 5,565.00 | | 5,565.00 |
| Zullo, Lisa M | 41,707.30 | | 41,707.30 |
| Zunino, Elaine | 22,532.30 | | 22,532.30 |

TOWN CLERK:

| | | | |
|----------------------|-----------|----------|-----------|
| Carey, Elizabeth A. | 66,768.70 | | 66,768.70 |
| Garrant, Kathleen M. | 55,106.86 | 2,626.32 | 57,733.18 |
| Hickford, Gina M. | 27,055.19 | 1,051.90 | 28,107.09 |
| Murphy, Janet E. | 3,119.67 | | 3,119.67 |
| Turcotte, Sandra E. | 27,599.88 | | 27,599.88 |

TOWN HALL:

| | | | |
|--------------------|-----------|--|-----------|
| Friberg, Thomas W. | 3,466.61 | | 3,466.61 |
| Manley, James . | 22,299.82 | | 22,299.82 |
| Thayer, Dale A. | 2,587.58 | | 2,587.58 |

TOWN MANAGER:

| | | | |
|--------------------|------------|--|------------|
| Barbeau, Sandra A. | 70,231.75 | | 70,231.75 |
| Chambers, Helen M. | 53,011.96 | | 53,011.96 |
| Cressman, David G. | 111,422.89 | | 111,422.89 |
| Hague, Barbara L. | 45,635.22 | | 45,635.22 |
| Hudson, Edwina M. | 54,431.89 | | 54,431.89 |

TREASURER COLLECTOR:

| | | | |
|-------------------------|-----------|----------|-----------|
| Blakeney Jr, William L. | 53,606.03 | 943.05 | 54,549.08 |
| Carey, Warren R. | 19,561.31 | | 19,561.31 |
| Cheetham, Darlene J. | 19,392.86 | 59.30 | 19,452.16 |
| Deshler, Teresa C. | 3,499.44 | | 3,499.44 |
| Ewing, Lucille M. | 32,241.60 | 2,686.82 | 34,928.42 |
| Gath, Debra . | 24,415.68 | 78.03 | 24,493.71 |
| Johnson, Elizabeth L. | 21,899.83 | | 21,899.83 |
| Langlois, Lorraine M. | 36,909.41 | 2,959.34 | 39,868.75 |
| Lightfoot, Dorothy A. | 53,517.99 | 141.63 | 53,659.62 |
| Smith, Janet K. | 47,373.92 | 130.30 | 47,504.22 |
| Sullivan, David M. | 21,852.65 | | 21,852.65 |

VETERANS:

| | | | |
|--------------------|-----------|--|-----------|
| Hart, Ellsworth K. | 60,829.24 | | 60,829.24 |
|--------------------|-----------|--|-----------|

At Your Service

(AREA CODE 978)

GENERAL INFORMATION..... 640-4300

AMBULANCE..... 911

Administrative Services, [Town Hall]..... 640-4488
Assessors, [11 Town Hall Ave]..... 640-4330
Auditor, [11 Town Hall Ave]..... 640-4320
Board of Registrars, [Voter Information]..... 640-4355
Building Commissioner, [DPW Building]..... 640-4430
Community Development, [DPW Building]..... 640-4370
Computer Services, [11 Town Hall Ave]..... 640-4351
Conservation Commission, [DPW Building]..... 640-4370

FIRE DEPARTMENT, [21 Town Hall Ave]

To Report a Fire..... 911
Other Fire Information..... 640-4410
Health Board, [DPW Building]..... 640-4470
Housing Authority, [Livingston Street]..... 851-7392
Library, [300 Chandler St.]..... 640-4490
Parking Clerk, [Town Hall]..... 640-4356
Planning Board, [DPW Building]..... 640-4370
Plumbing/Electrical Inspector, [DPW Building]... 640-4435

POLICE DEPARTMENT, [918 Main Street]

EMERGENCY..... 911
Administrative-Non Emergency..... 640-4381
Detectives..... 640-4380
Dog Officer..... 640-4395
Records..... 640-4385

PUBLIC WORKS, [DPW Building, 999 Whipple Rd.]

Superintendent/Administration Office..... 640-4440
Engineering Division..... 640-4440
Highway Division..... 640-4440
Park Division, [Livingston St.]..... 640-3502/640-4462
Sewer Division..... 640-4440
Snow & Ice Emergency..... 640-4443
Tree Division..... 640-4440
Water Division
[Emergencies-Phone Police Dept]..... 640-4448
Water Treatment Plant..... 858-0345
Water Billing Division, [11 Town Hall Ave]..... 640-4350
Recreation Dept., [Livingston St.]..... 640-4460
Road Runner Transportation..... 459-0152
Rubbish Disposal..... 1-800-442-9006

SCHOOL DEPARTMENT

Athletic Director..... 640-7834
Loella Dewing School, [1469 Andover St]..... 640-7858
Heath Brook School, [165 Shawsheen St]..... 640-7865
Memorial High School, [320 Pleasant St]..... 640-7825
North Street School, [133 North St]..... 640-7875

Louise Trahan School, [12 Salem Rd]..... 640-7870
John Ryan Elem School, [135 Pleasant St]..... 640-7880
John Wynn Middle School, [1 Griffin Way]..... 640-7846
Superintendent of Schools..... 640-7801
Business Administ., [Office 139 Pleasant St]..... 640-7805

Shawsheen Tech. Region. H.S., [Billerica]..... 667-2111

Sealer of Weights & Measurers..... 640-4430
Selectmen, Town Hall..... 640-4300
Senior Center, [175 Chandler St]..... 640-4480
Cable TV: Channel 10..... 640-4300
Channel 22..... 640-7825
Town Clerk, [Town Hall]..... 640-4355
Town Manager, [Town Hall]..... 640-4310
Treasurer/Tax Collector, [11 Town Hall Ave]..... 640-4340
Veterans Agent, [Town Hall]..... 640-4485
Voter Information, [Town Hall]..... 640-4355
Welfare Department..... 446-2400

CITIZENS INFORMATION SERVICE

Office of the Secretary of State..... 1-800-392-6090
Senator Edward Kennedy, [Boston]..... 1-617-565-3170
Senator John Kerry, [Boston]..... 1-617-565-8519
Congressman Marty Meehan, [Lowell]..... 978-459-0101
State Senator Susan Tucker..... 1-617-722-1612
State Representative James Miceli..... 1-617-722-2582
State Representative Barry Finegold..... 1-617-722-2240

